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NORTHWEST ARCTIC FEDERAL ADVISORY COUNCIL MEETING

Kotzebue Technical Center

Kotzebue, Alaska

February 18, 1998, 9:00 o'clock a.m.

VOLUME I

Members Present:

Willie Goodwin, Chairman
Raymond Stoney
Percy Ballot
Stanley Custer
Bert Griest, Interim Chairman
Ms. Barb Armstrong, Coordinator

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P R O C E E D I N G S

(On record)

INTERIM CHAIRMAN GRIEST: I'll call the Northwest Arctic Subsistence Regional Advisory Council Meeting to order. The date today is February 18th, the time is 9:15 a.m. We'll have roll call. Barb.

MS. B. ARMSTRONG: Willie Goodwin.

MR. GOODWIN: Here.

MS. B. ARMSTRONG: Raymond Stoney.

MR. STONEY: Here.

MS. B. ARMSTRONG: Ricky hasn't paid his dues. Percy Ballot.

MR. BALLOT: Here.

MS. B. ARMSTRONG: Stanley Custer.

MR. CUSTER: Here.

MS. B. ARMSTRONG: Walt Johnston, I think he's in Anchorage. Bert Griest.

MR. GRIEST: Here.

MS. B. ARMSTRONG: We have a quorum.

INTERIM CHAIRMAN GRIEST: We have a new member, Willie Goodwin, I'd like to welcome him on the Advisory Council. We have guests, I'd like to welcome all the guests attending. We'll go maybe from that and introduce yourselves.

MR. HUNTER: I am Paul Hunter with the National Park Service in Anchorage.

MR. KOEPESEL: Mark Koepsel, Selawik Refuge.

MR. GOODWIN: Elmer Goodwin, Kotzebue.

MR. PELTOLA: Eugene Peltola, Jr., Selawik Refuge.

MR. SHULTZ: I'm Brad Shultz, Park Service, Kotzebue.

MR. MILLER: Mike Miller, Park Service, Kotzebue.

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1 MS. B. ARMSTRONG: Barb Armstrong, Northwest Arctic,
2 Coordinator.

3
4 MR. RABINOWITCH: Sandy Rabinowitch with the Park
5 Service and the Federal Subsistence Board.

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7 MS. GEORGETTE: Susan Georgette with the Fish and Game
8 Department.

9
10 MS. KERR: Leslie Kerr, Selawik National Wildlife
11 Refuge.

12
13 MS. H. ARMSTRONG: Helen Armstrong, Fish and Wildlife
14 Service, Anchorage Subsistence Office.

15
16 MS. DEWHURST: Donna Dewhurst, Fish and Wildlife
17 Service, Subsistence.

18
19 MS. KNAUER: Bill Knauer, Fish and Wildlife Service,
20 Anchorage, Subsistence.

21
22 MS. HOGAN: Mimi Hogan, Fish and Wildlife Service,
23 Migratory Bird Management.

24
25 MR. KINGIK: Earl Kingik, Native Village of Point Hope,
26 Wildlife Parks Director.

27
28 MS. MEYERS: Randy Meyers, Bureau of Land Management.

29
30 MR. SPIRITES: Dave Spirites, Park Service
31 Superintendent, Kotzebue.

32
33 INTERIM CHAIRMAN GRIEST: We'll try and keep our
34 meeting as informal as possible. Anybody have concerns or
35 comments, just raise your hand and we'll recognize you. Review
36 and adoption of agenda. What's the wish of the Council?

37
38 MR. BALLOT: Mr. Chairman, I move to adopt the agenda
39 as presented.

40
41 INTERIM CHAIRMAN GRIEST: There's a motion to adopt the
42 agenda as presented.

43
44 UNIDENTIFIED VOICE: Second, Mr. Chair.

45
46 INTERIM CHAIRMAN GRIEST: And there is a second.

47
48 COURT REPORTER: Your name, sir?

49
50 MR. BALLOT: Percy Ballot.

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1 MS. B. ARMSTRONG: Excuse me. For your attention, you
2 need to add on your 11(C), an antler situation for Jim Dau.
3 And 11(2) caribou concern which will be addressed to you by
4 Earl Kingik and Jim Dau.

5
6 INTERIM CHAIRMAN GRIEST: Antler situation, B(1) by
7 Jim Dau and caribou concern, Point Hope IRA, Earl Kingik and
8 Jim Dau. Anything else? Any additions to the agenda? Hearing
9 none, all in favor of adopting the agenda as amended say aye?

10
11 IN UNISON: Aye.

12
13 INTERIM CHAIRMAN GRIEST: All opposed same sign.

14
15 (No opposing responses)

16
17 INTERIM CHAIRMAN GRIEST: Motion passes. Is Fred
18 Armstrong here?

19
20 MS. B. ARMSTRONG: No, he didn't make it.

21
22 INTERIM CHAIRMAN GRIEST: Okay. We have number 5,
23 review and adoption of minutes of our fall meeting in 1997.
24 What is the wish of the Council?

25
26 MR. BALLOT: Mr. Chairman, I move to adopt the
27 September 10, 1997, Northwest Arctic Regional Advisory Counsel
28 meeting.

29
30 INTERIM CHAIRMAN GRIEST: There's a motion to approve
31 our minutes of our last meeting. Is there a second?

32
33 MR. CUSTER: Second.

34
35 INTERIM CHAIRMAN GRIEST: Seconded by Stanley. Any
36 comments on the motion? Discussion?

37
38 UNIDENTIFIED VOICE: Question.

39
40 INTERIM CHAIRMAN GRIEST: The question is called. All
41 in favor of the motion say aye?

42
43 IN UNISON: Aye.

44
45 INTERIM CHAIRMAN GRIEST: All opposed same sign.

46
47 (No opposing responses)

48
49 INTERIM CHAIRMAN GRIEST: Unanimous. Item number 6, we
50 have open floor to public comments on the Federal Subsistence

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1 Management Program. Do you have anybody on this, Barb?

2

3 MS. B. ARMSTRONG: No. It's open. We didn't have
4 anyone who wanted to make a comment during your --
5 (indiscernible) proposal.

6

7 INTERIM CHAIRMAN GRIEST: Okay. Any comment? None?

8 Yeah. Bill.

9

10 MR. KNAUER: Mr. Chairman, I think at this time it
11 would be appropriate, the Fish and Wildlife Service and the
12 entire Office of Subsistence Management would like to extend
13 their condolences to the family and friends of Bill Barr (ph).
14 Bill served as a Regional Council member with the Seward
15 Peninsula Regional Council for a period of time and I'm sure we
16 all mourn his passing, but celebrate his life.

17

18 INTERIM CHAIRMAN GRIEST: If there are no other
19 comments, we will extend the condolences. Thank you. Anything
20 else? Hearing none, we have item seven, election of officers.
21 What's the wish of the Council? You guys want to do it at this
22 time or you want to wait?

23

24 MR. GOODWIN: I think we should. I think the last
25 thing is there were some excuses for the meeting. Even though
26 we have two missing this year, only one has to be excused. So
27 there was an opportunity for (indiscernible) to be here. I
28 think we should go ahead and have it.

29

30 MR. STONEY: Mr. Chairman, I think we should do it now
31 because the chairman's going to run the meeting all day.

32

33 INTERIM CHAIRMAN GRIEST: Okay. Do we have any
34 nominations for Chairman?

35

36 MR. CUSTER: Mr. Chair?

37

38 INTERIM CHAIRMAN GRIEST: Yes.

39

40 MR. CUSTER: I nominate Willie Goodwin, Jr.

41

42 MR. BALLOT: Second.

43

44 INTERIM CHAIRMAN GRIEST: Willie Goodwin, Jr., is
45 nominated. Second. Seconded by Percy. Any other nominations?
46 What's the wish of the Council? Any other nominations? Does
47 anyone want to entertain a motion that the nominations be
48 closed?

49

50 MR. BALLOT: Yes, Mr. Chair, I move to close the

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1 nominations.

2

3 INTERIM CHAIRMAN GRIEST: We have a motion to close
4 nominations.

5

6 MR. CUSTER: Second.

7

8 INTERIM CHAIRMAN GRIEST: Second by Stanley. All in
9 favor of the motion say aye?

10

11 IN UNISON: Aye.

12

13 INTERIM CHAIRMAN GRIEST: All opposed same sign.

14

15 (No opposing responses)

16

17 INTERIM CHAIRMAN GRIEST: Unanimous. So, Willie,
18 you're the new chairman.

19

20 MR. GOODWIN: Thank you for the vote of confidence. Do
21 you want me to take over now or you want to go through the
22 items? Nominations are open for Vice-Chair.

23

24 MR. BALLOT: Mr. Chair, I'll nominate Bert Griest.

25

26 UNIDENTIFIED VOICE: Seconded.

27

28 CHAIRMAN GOODWIN: Ask for unanimous consent.

29

30 UNIDENTIFIED VOICE: You forgot the motion.

31

32 CHAIRMAN GOODWIN: Any objection? Hearing no
33 objections it's ordered by the Chair that Bert Griest is the
34 Vice-Chair. Nominations for secretary are now open.

35

36 MR. BALLOT: Mr. Chair, I nominate Raymond Stoney and
37 ask for unanimous consent.

38

39 CHAIRMAN GOODWIN: Is there a second?

40

41 UNIDENTIFIED VOICE: Second.

42

43 CHAIRMAN GOODWIN: Any objections? Hearing none
44 Raymond Stoney is the secretary. That takes care of item
45 seven. We'll go on to item eight. Under Tab O we've got the
46 Proposed Rule of Federal Subsistence Management. I'll call on
47 Bill Knauer to give the overview.

48

49 MR. KNAUER: Thank you, Mr. Chairman. I've got a
50 little presentation that I do need to make. For those of you

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1 that were here last night at the hearing it'll sound very
2 familiar, but it is one that is going to be presented to all of
3 the Councils, after which there will be an opportunity to ask
4 me or other members of our staff questions, and then an
5 opportunity for you folks to deliberate and come up with your
6 recommendations to the Federal Subsistence Board.

7
8 Mr. Chairman, members of the Council, ladies and
9 gentlemen of the audience, my name is Bill Knauer and I'm with
10 the Office of Subsistence Management in the Fish and Wildlife
11 Service. I'm here today to represent the Federal Subsistence
12 Management Program and to make a short presentation on a
13 Proposed Rule that was put in place, the court ordered
14 extension of Federal jurisdiction for subsistence uses of fish
15 in Federal waters. As you're aware, Title VIII of the Alaska
16 National Interest Lands Conservation Act provides a priority
17 for subsistence uses by rural Alaska residents on Federal
18 public lands. In a case that's commonly called the Katie John
19 case, a Federal court ruled that the term public lands as used
20 in Title VIII includes navigable waters in which the United
21 States has reserved water rights. The Departments of
22 Agriculture and Interior have tentatively identified those
23 waters as inland, in other words fresh waters, within or
24 adjacent to the boundaries of conservation system unit, such as
25 National Wildlife Refuges, National Parks and the National
26 Petroleum Reserve in Alaska, and inland waters within or
27 adjacent to boundaries of National Forests, as long as those
28 waters are bordered on at least one side by the Federal land.

29
30 You can see by the maps on the wall behind you that
31 those waters that we have tentatively identified are in red.
32 The Proposed Rule also includes in the definition of public
33 lands those lands within the boundaries of a conservation
34 system unit, national recreation area or a conservation area,
35 or new forest or forest addition, the selected but not yet
36 conveyed lands. This does not include most BLM lands or
37 selections with the Petroleum Reserve Alaska, or within the old
38 forest. An Advance Notice of Proposed Rule making was
39 published in the Federal Register on April 4, 1996, to solicit
40 comments concerning suggested regulatory changes that would be
41 necessary to comply with the court ruling. Ten hearings were
42 held around the State, including one here in Kotzebue in May of
43 that year. There were also two informational teleconferences
44 with the Chairs of the Regional Councils.

45
46 The comments were received both in writing and during
47 the hearings in response to the advance notice, provided the
48 agencies with a sense of how the public viewed the general
49 jurisdictional concepts that were outlined. In general the
50 major issues raised were that fisheries are very important to

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1 rural subsistence users. Before Statehood, Federal government
2 managed fish and shellfish poorly, therefore the State should
3 manage fish and hunting and trapping throughout Alaska.
4 Another comment was that the State had failed to provide the
5 subsistence uses, therefore the Federal government should take
6 over throughout Alaska and, in fact, should take over all
7 navigable waters. Others felt that Federal jurisdiction should
8 include all marine waters. While on the other side some said
9 that the Federal jurisdiction was too expensive. Some folks
10 felt that the Federal government should step in to regulate the
11 Area M Fishery. While others said that ANILCA does not
12 authorize the extension of Federal jurisdiction off of Federal
13 lands and that Congress did not intend for selected but not yet
14 conveyed lands to be subject to Title VIII. Others felt
15 strongly that the advance notice and any regulation violates
16 the Alaska Statehood and Submerged Lands Act.

17
18 During this process and in accordance with the National
19 Environmental Policy Act, we prepared an environmental
20 assessment that analyzed the environmental affects of the
21 Proposed Rule. The primary issues that were addressed in the
22 EA included the affects of dual management, customary trade and
23 potential impacts on fisheries. No significant impacts are
24 expected related to any of these items. As escapement levels
25 for most fisheries already includes subsistence allocations,
26 the proposed regulations are designed to permit ongoing
27 practices of customary trade without permitting them to become
28 an avenue for commercial enterprise. And the subsistence
29 harvest is actually very, very small when compared with the
30 total harvest, and the conservation mandates that both the
31 State and the Federal governments will remain in place.

32
33 Where possible, the Proposed Rule that you have before
34 you was modified to correct shortcomings and address issues and
35 comments that were raised following the publication of the
36 advance notice. The key provisions of the Proposed Rule would
37 identify specific Federal land units where reserved water
38 rights exist, includes some selected but not yet conveyed lands
39 within the definition of public lands. Three, specify that the
40 Secretaries themselves are retaining the authority to determine
41 when hunting, fishing or trapping activities off of Federal
42 lands are interfering to such an extent as to result in a
43 failure to provide the subsistence priority and to take any
44 action to restrict or eliminate the interference. Four, to
45 provide for the ongoing customary trade practices. And, five,
46 adopt State subsistence fishing regulations that apply to
47 Federal jurisdiction, making only a minimum number of changes
48 initially.

49
50 We would generally adopt the State's subsistence

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1 fishing regulations that apply to the Federal jurisdiction
2 because we do not anticipate that we will have the necessary
3 resources, either staff or budget, in place to implement a
4 final program or even an annual rule making process prior to
5 the start of the 1999 fishing season. We want to minimize the
6 confusion between Federal and State management and minimize the
7 risk to the fisheries resource while we are developing the
8 Federal Subsistence Fisheries Program. This is much the same
9 situation that occurred in 1990 when the Federal government
10 assumed subsistence management for wildlife. We initially used
11 the State's regulations as a basis for the Federal program
12 because we didn't have the time, money, staff or regional
13 Council structure in place yet. But over the years significant
14 changes accommodating the local users have been made in the
15 Federal program.

16
17 You'll notice in the copy of the Proposed Rule that we
18 have identified major areas of change or modified text with
19 side-markings. Overall, most of the text will be familiar to
20 you. The majority of sub-parts (a), (b) and (c) have been in
21 place and in operation since the Federal government assumed
22 management for subsistence. And most of the fisheries portion
23 of sub-part (b) has been in place under the State's subsistence
24 regulations. The Board realizes that there may be some things
25 about the current system that you feel need fixing immediately,
26 but because of the limitations just mentioned, the final rule
27 will have to track rather closely with the current State
28 subsistence regulations. However, if there are specific
29 existing regulations that are of critical concern to you, we'd
30 like to know that before the rule is finalized.

31
32 At the present time only changes occurring within the
33 boundaries of conservation system units will be considered.
34 The comments that we receive in the hearings, like last night
35 and by mail, will be reviewed and where feasible changes made
36 in the rule. Regional Council comments will receive special
37 consideration. Just for your information, there currently
38 exists language in the Interior Appropriation Act that
39 prohibits the implementation of the Federal Fisheries Program.
40 This is the third year that the moratorium language has been in
41 the Appropriations Act. Because of this moratorium we are
42 required to wait until December 1, 1998, before implementing
43 the court's decision. However, the moratorium does not
44 preclude us from moving towards the development of a final
45 rule. And should the State regain subsistence management, the
46 Federal government will not issue a rule extending
47 jurisdiction. If the State however is unable to resume
48 subsistence management, and the Congressional moratorium
49 expires, then we will publish a final rule and implement the
50 court's mandate to expand Federal jurisdiction.

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1 We would expect then the first opportunity to submit proposals,
2 such as you do for wildlife, to occur during the winter of
3 1999/2000, that would be next winter, to be effective in the
4 year 2000.

5
6 I'd like to point out that one thing that we are not
7 soliciting comments on is the extent of Federal jurisdiction.
8 That is something that is mandated by the courts and that we
9 have no control over, either the extent of jurisdiction or
10 whether the Federal government or the State government should
11 be the managing agency. That's a facet that we have no
12 control. But at this time I would like to entertain any
13 questions that you folks might have before we start your
14 deliberation.

15
16 CHAIRMAN GOODWIN: Raymond.

17
18 MR. STONEY: Mr. Chairman, I question that. Now, the
19 new regulation you said it would be effective in the year 2000
20 on Federal regulations?

21
22 MR. KNAUER: The overall regulations would be effective
23 approximately December 1, or at least we would publish
24 approximately December 1, 1998, and they'd be effective about a
25 month later. That's if the State does not regain control and
26 if the moratorium expires.

27
28 MR. STONEY: Okay. Thank you.

29
30 MR. KNAUER: So there would be a Federal program in
31 effect for the fishing season of 1999.

32
33 CHAIRMAN GOODWIN: Any other questions? Bert.

34
35 MR. GRIEST: Will the Federal government then be making
36 agreement with the State in managing subsistence fisheries?

37
38 MR. KNAUER: We'll be working with the State based on
39 the data and the run projections and things like that from the
40 State because we don't have either the budget or the
41 infrastructure set up to get that information. However, it
42 will be the Federal Subsistence Board that will be setting the
43 subsistence levels necessary. That aspect would not be part of
44 the State. We would be identifying to the State the levels of
45 subsistence escapement needed.

46
47 MR. GRIEST: Minus your budgetary flexibility or
48 constraints, if this comes about, you anticipate the State just
49 giving you the information or are you going to pay for it?

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1 MR. KNAUER: There will probably be a number of
2 different scenarios in different areas. We may be getting the
3 raw data or analyzed data, just as we do now, for wildlife, but
4 even with wildlife many of the studies are conducted either
5 jointly or with funding from the Federal government. And I
6 would expect there to be similar cases, that if we see an area
7 where specific information is needed that the State's not doing
8 something, there may be opportunities for contracts with the
9 State or with local entities to collect that data if the
10 capability is there. So the more cooperation there is and
11 coordination, the more protection of the resource there will
12 be. And that's the goal for everybody, is to insure that the
13 runs are there because that's what everybody depends on,
14 whether it's the subsistence user or the commercial or sport
15 user.

16
17 MR. GRIEST: Mr. Chairman.

18
19 CHAIRMAN GOODWIN: Bert.

20
21 MR. GRIEST: So under Federal management can the tribal
22 organizations propose compacts with the Fish and Wildlife
23 Service or the authorizing Federal agency that manage
24 subsistence fisheries? Is that my understanding?

25
26 MR. KNAUER: I certainly think that would be one option
27 in certain areas.

28
29 MR. GRIEST Or co-management?

30
31 MR. KNAUER: For collection of harvest information, run
32 strength, similar things such as that, there are certain
33 limitations that we are bound by that require the regulation by
34 Federal entities.

35
36 MR. GRIEST: So what you're saying is co-management is
37 not really part of the overall proposal?

38
39 MR. KNAUER: I don't think in the sense that you're
40 thinking of. Certainly there are opportunities such as you're
41 familiar with some of these cooperative management plans that
42 are being developed or being used, like for caribou or musk ox,
43 where all the parties come together that are interested and
44 agree on population goals, harvest strategies and things like
45 that. And then both the State and the Federal government in
46 the development of regulations generally follow those.
47 Something like that, yes. But in the actual development of
48 regulations or the passing of regulations, we're constrained by
49 various legislation as to what we can and cannot do. It's a
50 little different than with like marine mammals or some of the

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1 other things like the Alaska Eskimo Walrus Commission and so
2 on.

3
4 CHAIRMAN GOODWIN: Raymond.

5
6 MR. STONEY: Mr. Chairman. My final question to you,
7 you said that regulation would be effective in the end of '98,
8 some 30 days later. Now if the Feds take over our hunting
9 regulations, would the Federal also maintain the State land
10 like, for instance, for musk ox?

11 MR. KNAUER: This would not apply on State lands. It
12 would apply on the Federal waters only. So on lands and waters
13 that the State has, the State Subsistence Program would still
14 exist on those areas.

15
16 MR. STONEY: Okay.

17
18 CHAIRMAN GOODWIN: Stanley, you had a question?

19
20 MR. CUSTER: If the State comes around they do resume
21 management of Fish and Game, would we be bound by their
22 regulations on subsistence on Federal lands?

23
24 MR. KNAUER: If the State resumed management, the
25 Federal Subsistence Management Program would essentially
26 disappear and the Federal program would disappear. I think
27 what we're seeing is this program has instituted a lot of very
28 good things and we're seeing that in some areas the State has
29 recognized that and is trying to adopt some of those things.

30
31 CHAIRMAN GOODWIN: Any other questions from anyone?

32
33 MR. ITO: Mr. Chairman, I had a question.

34
35 CHAIRMAN GOODWIN: Can you identify yourself for the
36 record?

37
38 MR. ITO: My name is Gordon Ito. I live here in
39 Kotzebue, born and raised here. I have one question for Bill
40 Knauer. I guess was some conclusion that I came to last night
41 after the meeting, it seems to me that the Federal government
42 is just coming in just to comply just like with ANILCA. I
43 don't really see no real great changes in the Fish and Game and
44 subsistence and with their extra territorial version of they
45 can't help anybody else in the State unless it's affecting the
46 Federal land. What I see is the Federal government coming in
47 and taking a look at this, I guess just putting on a different
48 hat. I feel very uncomfortable with the Federal government
49 coming in and taking on the task of the management of the State
50 of Alaska by just going to the State and just turning around

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1 and telling the State people, well we need your information.
2 They don't have the resources. I feel very uncomfortable that
3 they're going to move in with their regulations. And, frankly,
4 they're not ready for it.

5
6 At this point in time, with them taking over Fish and
7 Game management, and seeing how slow they're moving on game
8 management here, and the way they're I guess walking through
9 the path of taking all these regulations on, I feel very
10 uncomfortable at this point in time. I think I just wanted to
11 state that for the record. You know, I've always had the view
12 that the Federal government they print the money and they're
13 always saying, well, you know, we've got budget constraints.
14 Why can't they come in and set up and do it right, rather than
15 just come in and set up and taking on everything the State has?
16 I mean you're taking one hat off just to put the other on just
17 to satisfy ANILCA. Thank you, Mr. Chairman.

18
19 CHAIRMAN GOODWIN: Thank you, Gordon. Anybody else?
20 If not, we'll go on with the agenda. Barb, do you have a
21 summary of public comments received?

22
23 MS. B. ARMSTRONG: I don't have any.

24
25 CHAIRMAN GOODWIN: I suspect I will have.

26
27 MS. B. ARMSTRONG: I'm sure you will, yes.

28
29 MR. KNAUER: Mr. Chairman.

30
31 CHAIRMAN GOODWIN: Bill.

32
33 MR. KNAUER: This is the first Regional Council meeting
34 that has had an opportunity to deal with this subject, although
35 there have been a dozen or so hearings around the State. You
36 heard some testimony, those of you that were here last night.
37 In other parts of the State some of the testimony was that, for
38 example, customary trade was a real issue in a lot of the areas
39 and there were many comments relating to it. Some felt that
40 there should be a dollar limit placed on customary trade, some
41 felt that regional Councils should make a recommendation
42 relating to customary trade and there should be limits based on
43 a regional basis. There were comments that customary trade,
44 there should be no limit on it. There were other comments that
45 individuals felt there should be no customary trade. In other
46 words, no sale of subsistence taken fish and resources. That's
47 one example of an area where we hope the regional Councils can
48 help us and provide their recommendation.

49
50 Other areas related to the use of existing State, Local

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1 Fish and Game Advisory Committees, there have been comments
2 that folks felt that they should be a formalized part of this
3 program. In other areas there was no comment made about that
4 at all. I think that depends upon how active some of them are
5 in the local area. Things such as that are areas where the
6 Federal Subsistence Board would really benefit by your
7 knowledge and expertise.

8

9 CHAIRMAN GOODWIN: Any other comment? This is your
10 opportunity for public comment.

11 MR. ITO: Mr. Chairman, my name is Gordon Ito, I was
12 born and raised in Kotzebue, and I do have other comments,
13 since the comments are opened. I mean I take a look at this
14 Board make-up and I feel very uncomfortable with this Board
15 make-up. Just to name one, Walter Sampson, he's Vice-Chairman
16 of the State Board of Game. He's the Chairman or the Vice-
17 Chairman of the State Board of Game and at this point in time
18 the State of Alaska is suing the Federal government on this
19 subsistence issue that we have. In fact, I believe they filed
20 in Washington, D.C., against the Federal government on
21 management takeover of game and fish in State of Alaska. And
22 with somebody on the State Board of Game and also on I guess
23 you would call this the Federal Subsistence Board, I would say
24 a person in that capacity using two hats would be contradicting
25 himself with I guess you would say on one hand we have a person
26 sitting up here and he's on the State Game Board and then he's
27 turning around and he's probably having to abstain on most of
28 the subsistence and all the issues that you're actually talking
29 about on this Board.

30

31 CHAIRMAN GOODWIN: You do have a point, Gordon. It was
32 pointed out in the last meeting in Noatak when the subsistence
33 issue came up in Noatak the possible positions he might take
34 with the Board of Game and he abstained in Noatak on
35 deliberation that this commission there was considering. And
36 it was brought out to him.

37

38 MR. ITO: Okay. Thank you, Mr. Chairman. I just
39 wanted to make that clear; I felt a little bit uncomfortable in
40 that capacity because he's fighting the subsistence -- the
41 State of Alaska is fighting the subsistence issue with us and
42 he sits on the Subsistence Board and he has to make the
43 decisions on the Game Board. If he makes a decision on the
44 Subsistence Board, then he would have to abstain on the Game
45 Board, or else he can't vote on those issues of subsistence and
46 such that we're gravely muddling around here in the State of
47 Alaska. Thank you, Mr. Chairman.

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49 MR. GRIEST: Mr. Chairman.

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1 CHAIRMAN GOODWIN: Bert.

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3 MR. GRIEST: Thank you for submitting that concern. A
4 couple of points we need to clarify on this, and that is it's
5 not the State Game Board that's filing the suit, nor the
6 administration of the State that has filed the suit. It's the
7 Legislature. The Republican Legislature led by Scott Ogan.
8 It's the Legislature that has filed the suit. The other point
9 is that we do not as a body appoint other members to this
10 Advisory Council. The Department of Interior makes those
11 determinations after their scrutiny. And while there might be
12 appearances of conflict of interest, if there were the Council,
13 we would probably ask that certain things be waived or be
14 looked at. I haven't really experienced where there is a real
15 conflict or there would be real conflict of interest
16 situations, other than just the appearances.

17
18 CHAIRMAN GOODWIN: Gordon.

19
20 MR. ITO: Mr. Chairman. Yeah, Mr. Vice-Chairman, I
21 believe you missed my point. I think I was putting it on
22 record that I feel very uncomfortable as a citizen of Kotzebue
23 and a subsistence user. I understand the Republican
24 Legislature is the one that has actually filed the suit in
25 Washington, D.C., hopefully that they can find some
26 jurisdiction there over the fish and game and the lands. What
27 I was stating for the record was in the capacity of Mr. Sampson
28 on the Game Board, the State Game Board, if he makes a decision
29 on the State Game Board, then he would have to abstain on the
30 decisions of subsistence on this Federal Subsistence Board.
31 Now, if he makes the decision on this Federal Subsistence Board
32 in one way or the other, then he would have to abstain on the
33 State Board. It's contradicting itself. I think that's the
34 point I was trying to bring across. Thank you, Mr. Chairman.

35
36 CHAIRMAN GOODWIN: Barb.

37
38 MS. B. ARMSTRONG: For the record too I just want to
39 inform you that Walter had this checked out when he became the
40 Board of Game while he was on this Council. And I'm sure that
41 he would say that he had his attorney check this out to see if
42 there would be a conflict of interest. And then I guess he was
43 told that there wasn't at that time. And I this is information
44 only that Walter did have that checked out.

45
46 CHAIRMAN GOODWIN: Any other comment regarding the
47 Federal Subsistence Fisheries Management. Raymond.

48
49 MR. STONEY: Yeah. I think I would be uncomfortable
50 like for Mr. Sampson to be on the Fed and the State, that one

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1 way or another it's going to come up. It might be a number of
2 years, but it's going to come to be a conflict of interest.

3
4 CHAIRMAN GOODWIN: Any other comments? If not, we'll
5 -- oh, Earl.

6
7 MR. KINGIK: Earl Kingik, Native Village of Point Hope.
8 You know, I feel uncomfortable when you use a dollar sign on
9 our food we eat out there, you know. Is that really coming
10 from the Subsistence Board putting a dollar sign on the food we
11 catch?

12
13 CHAIRMAN GOODWIN: That was a recommendation I believe
14 for consideration.

15
16 MR. KINGIK: I feel real uncomfortable on that.

17
18 CHAIRMAN GOODWIN: Dollar value on it.

19
20 MR. KINGIK: Yeah. I don't know how he defines
21 subsistence, you know, barter and trade and stuff like that
22 that's been going on for thousands and thousands of years.

23
24 CHAIRMAN GOODWIN: Do you have any response, Bill?

25
26 MR. KINGIK: How do you define subsistence?

27
28 MR. KNAUER: Yes. Currently there is no dollar limit
29 in the definition of customary trade. It refers to allowing
30 customary trade and exchange or sale for cash, as long as it
31 does not constitute a significant commercial enterprise. That
32 definition is believed by some folks, including many
33 subsistence users, to be too broad and expansive. Because what
34 your definition of significant and commercial enterprise is and
35 what's mines or someone else's may not be the same. And it's
36 felt that that could put undue pressure on the subsistence
37 resources by people saying, well, gosh, I think I'll just go
38 out here and catch a whole bunch and sell it. And if everybody
39 does it then the subsistence user as a whole suffers because
40 the resources suffer. And so some people believe that there
41 should be a limit on the amount that can be sold. Not only the
42 amount that can be taken for personal use, but on the amount
43 that can be sold. And that's something that the Federal Board
44 would like to hear the Regional Councils recommendations on
45 whether or not it should be left very broad, whether it should
46 have regional differences or whether it should be a specific
47 dollar amount. So we're not saying it should be one or the
48 other. We're asking you folks how you believe it should be.

49
50 CHAIRMAN GOODWIN: Earl.

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1 MR. KINGIK: Right after that Bethel meeting, you know,
2 I had a lot of phone calls to my office about these caribou
3 antlers. They were showing how to take caribou antlers without
4 caribou dropping it, you know, and they wanted me to by the
5 antlers from them, you know. Stuff like that is going to give
6 us IRA governors a headache, you know. I don't know how you
7 guys define subsistence. Us Tribal members, you know, the
8 government already have a treaty with us, you know. The
9 government recognize us as a sovereign people and the
10 government recognizes like the Eskimo Whaling Commission,
11 that's a real good organization. It shows that the people can
12 take care of their usage of animals. A good example is the
13 Alaska Eskimo Whaling Commission.
14

15 CHAIRMAN GOODWIN: I think there will be ample time to
16 make comments once there's something written down that we can
17 respond to as far as the broadness of customary trade. Am I
18 correct in saying that?
19

20 MR. KNAUER: Mr. Chairman, you've already seen copies
21 of the Proposed Rule that does have in it the written
22 definition and it's very board. And what the Board is saying
23 is, is that right, should it be that broad, are you satisfied
24 with that or should it be more restrictive and, if so, how
25 should it be restrictive. So, like I said, that's one thing
26 that the Board is asking the Councils now, is what do you think
27 on that?
28

29 CHAIRMAN GOODWIN: I think the comment that came in
30 from last night regarding antlers was the ability or latitude
31 to purchase subsistence caught parts of animals, not the sale
32 of. The sale of I have no problem being broad. I think there
33 was some direction as far as the purchase of these parts, for
34 instance, by suggesting that the Tribal government be a
35 possible way to do it, for instance, antlers. That was a
36 question that was being posed last night as I understand it
37 from the Kotzebue IRA. Raymond.
38

39 MR. STONEY: Yeah, Mr. Chairman, I have a question
40 about the State and Federal. Had we all known that the State
41 issued these hunting and fishing license, now if the Fed's takes
42 over the management of the fish and game, would the Federal
43 also issue out hunting licenses to subsistence users in rural
44 areas?
45

46 MR. KNAUER: The Federal government will not be issuing
47 hunting licenses. Even now for participation under the Federal
48 program a State hunting license is required. If the Federal
49 government assumes management of fishing, subsistence fishing
50 would not require a State fishing license. In fact, even now

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1 the State does not require a fishing license for subsistence
2 fishing. In some areas they do require permits. And the
3 Federal government would continue to require permits. In
4 general permits are used as a harvest monitoring device to
5 determine run strength and harvest and used just like harvest
6 reports for wildlife. That helps to determine the population.

7
8 MR. STONEY: I think to me that's sort of a very
9 confusing situation. Like the Federal and State now, if the
10 Federal manage the fish and wildlife and then the State gets
11 (indiscernible) that is very confusing.

12
13 CHAIRMAN GOODWIN: Any other comments? Well, on the
14 regulations that are being proposed right now, I've got a
15 couple of questions. One, there is on page 66238 on the left-
16 hand column there, number 4, any fish for subsistence uses may
17 not obstruct more than one-half the width of any stream. When
18 they're catching white fish in the fall time or in the spring
19 time some of those streams aren't even 10 feet wide. And it
20 happens, they do put the nets, you know, right across the
21 stream to catch white fish. They don't leave them there. They
22 take them off when they leave, especially in the Kobuk Delta
23 that I know of. So I would have an objection to that one.
24 There's got to be some latitude or some language changed. I
25 can go along with if a stream is say 50 feet wide, you know, or
26 better yet a hundred feet I guess.

27
28 And if you'd flip the page over, the question I have
29 is, and this is a question to the State people I guess too
30 also, this a prohibition of subsistence fishing one mile
31 downstream from the mouth of the Kelly and a quarter mile
32 upstream in the Kelly River? Does that apply to sport fishing?
33 Does anybody know? You're closing out a piece of the Kelly
34 River -- Noatak River from subsistence fishing, but I was just
35 wondering if this applied to sport fishing or not. If it's
36 allowed for sport fishing, I can't see why it can't be allowed
37 for subsistence fishing.

38
39 MS. BUCKNELL: Maybe we can find out and come back this
40 afternoon and answer that question because I don't know.

41
42 CHAIRMAN GOODWIN: Because I know a lot of planes go up
43 there, go out there with their rod and reels, you know.

44
45 MS. GEORGETTE: Yeah, I don't know for sure. I think
46 it's open to sport fishing.

47
48 CHAIRMAN GOODWIN: Well, we should take that out and
49 leave it open to subsistence fishing then. I would recommend
50 taking that out. Kind of a strange regulation to have, you

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1 know.

2

3 And the other point that was brought out last night as
4 far as the depth of sea fish nets, you know, I go along with a
5 comment that Mr. Armstrong made last night regarding depth of
6 12 inches deep being too shallow. There are some areas where
7 deeper nets can be used where the currents are, where the
8 fishermen know the correct depth to put their nets in under the
9 ice. And you need a deeper mesh net in some of those areas.
10 So I think that should be raised.

11

12 The other question I have is last night there was some
13 discussion regarding the closures in spawning areas. For
14 instance, sheefish to subsistence fishing. If those closures
15 can also include other types of fishing, for instance sports
16 fishing, I'd go along with it. But just to keep way
17 subsistence fishing from certain areas where our people in the
18 Upper Kobuk have been traditionally getting their fish, doesn't
19 make any sense to me either. And the other factor I'd like to
20 bring out is the protection of these areas. Because I know
21 that sheefish need to spawn in certain depths of water, certain
22 type of gravel as the studies show. And those have got to be
23 protected. But to just point out again, the season for
24 subsistence fishing and leaving the other types of fishing open
25 doesn't seem right to me.

26

27 Are there any other Regional Council recommendations?

28

29 MR. STONEY: Well, Mr. Chairman, I've got maybe a
30 comment. Maybe Bill would know. As you are aware that the
31 State is in the process of getting sport netting guides and in
32 a year's time they're going to be effective. It will require a
33 commercial pilot's license.

34

35 MS. DEWHURST: Well, that's an FAA regulation. I know
36 about that. That's an FAA regulation, they just came down with
37 it.

38

39 CHAIRMAN GOODWIN: Your name for the record, please?

40

41 MS. DEWHURST: Oh, I'm sorry, Donna Dewhurst. That
42 just came down from the FAA that all sport fish and sport
43 hunting guides have to be under Part 135. What was your
44 question concerning that? I just know it just came down. They
45 just issued it not even a month ago on that.

46

47 MR. STONEY: Yes. So it will be effective a year
48 later, right?

49

50 MS. DEWHURST: Yeah, I think they're giving a year for

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1 people to comply, which mainly means they have to do hundred
2 hour checks and mandatory drug testing and the usual Part 135
3 stuff. But that was from the FAA. There's been a lot of
4 contest of it. I know I've heard it. And the reason I know it
5 is I have a lot of friends that are in the guiding business and
6 it's upset a lot of people. And there's a lot of people
7 protesting it to the FAA, but I don't know what's going to
8 happen.

9
10 CHAIRMAN GOODWIN: Does that answer your question?
11 Bert.

12
13 MR. GRIEST: On the proposal that we just talked about
14 just a few minutes ago, on page 66239, I wanted to get this
15 question clarified about the Proposed Rule to close subsistence
16 on the Kelly River from June through September 20. Is that in
17 place right now as a Park Service management thing, or is this
18 a new proposal?

19
20 MR. KNAUER: That is currently in place. That was
21 taken directly from the State's Subsistence Regulations.

22
23 MR. GRIEST: Oh, the State's Subsistence Regulations.

24
25 MR. KNAUER: Uh-huh (affirmative).

26
27 MR. GRIEST: If that's the case I'd like to entertain a
28 motion that we recommend that this be striked (sic) out.

29
30 CHAIRMAN GOODWIN: You move?

31
32 MR. GRIEST: I so move.

33
34 CHAIRMAN GOODWIN: Is there a second.

35
36 MR. BALLOT: Second, Mr. Chair.

37
38 CHAIRMAN GOODWIN: Any discussion? All in favor
39 signify by saying aye.

40
41 IN UNISON: Aye.

42
43 CHAIRMAN GOODWIN: Any other recommendations? Barb.

44
45 MS. B. ARMSTRONG: Yeah, Willie, I have some comments
46 that Ricky had sent in to me. I failed to bring them in to
47 make copies for you, but he did mention some request that he
48 made on Kelly and some of the rivers up in Noatak.

49
50 CHAIRMAN GOODWIN: Do you have copies of them?

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1 MS. B. ARMSTRONG: I have them in the office. I didn't
2 bring them in.

3
4 CHAIRMAN GOODWIN: Okay. Any other recommendations or
5 comments? If not, that takes care of item eight. Let's take a
6 10 minute break.

7
8 COURT REPORTER: Off record.

9
10 (Off record)

11
12 COURT REPORTER: All right. We're back on record at
13 10:35.

14
15 CHAIRMAN GOODWIN: We'll call the meeting back to
16 order. We're on item nine, the proposed change to Subpart C,
17 the customary and trade use determination in Subpart D,
18 seasons, harvest limits and methods and means of Federal
19 Subsistence Regulations. Is Barb here?

20
21 MS. H. ARMSTRONG: Barb had to go get something from
22 the office, but she asked me to take over, yeah. Members of
23 the Council, Mr. Chair, the proposals are in Section P as in
24 Peter in your book. And we'll start with Proposal 93. This
25 one should be familiar to you. This was a proposal that was
26 deferred last year by this Council. It was originally
27 submitted by the Middle Yukon Local Fish and Game Advisory
28 Committee and had been on our backlogged list of proposals and
29 had also been submitted by this Council. The original proposal
30 was for giving all residents of Unit 23 c&t for black bear for
31 using Unit 23 for hunting black bear. When we reviewed the
32 proposal last year, we found that there were some communities
33 outside of Unit 23 who also may come into 23 to hunt black
34 bear. And that was where the deferral came in, was there was a
35 desire by the Council to gather some additional information.
36 Those communities that we were concerned about were Galena,
37 Huslia, Hughes, Allakaket, Alatna and Koyukuk.

38
39 I'm not going to go into complete detail on this
40 analysis since you do have it in your books and you did hear it
41 last year, but we'll just talk about the main points and
42 summarize. And the rest of them I'll submit into the record
43 from this proposal analysis as it appears in your book. We
44 have a lot of ethnographic and general subsistence use
45 information for Unit 23. There have been some studies done in
46 Kivalina, Kotzebue, Point Hope, Buckland. There have also been
47 studies done in Galena, Huslia, Allakaket, Alatna and Hughes.
48 But in terms of having specific information on black bear for
49 any of those communities, we don't have a lot of information.
50 In Unit 23 there was mapping that was done of bear usage and

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1 that map comes after page eight in Section P in your book. It
2 looks like this, it says Map 2. And this map of the general
3 use area for Unit 23 was for bears and not specifically for
4 black bear or for brown bear. And that's why we don't know
5 exactly where people go for black bears. However, we do know
6 that the habitat in Kivalina and in Point Hope and Deering is a
7 habitat that can support black bear. We have subsistence use
8 studies from Deering, Kivalina and Noatak that didn't show any
9 use of black bear, although there was some use for brown bears.
10 Buckland also had no mention of black bear use and Point Hope
11 and Kivalina didn't mention any black bear use. Otherwise the
12 other communities in Unit 23 all have usage of black bear.

13
14 In Unit 24 we know that all of the communities, Galena,
15 Alatna, Allakaket, Huslia, Hughes and Koyukuk have harvested
16 black bear. And there is a table on page 10 that shows their
17 harvest and the years which we have done studies. But there's
18 no mention of use going up into Unit 23 to use black bear. We
19 do know that people have traditionally gone up to the Purcell
20 Hot Springs and what we've heard from the Western Interior
21 Regional Council, and as well as from some people on our Fish
22 and Wildlife staff who lived in the area, is that the people
23 from Unit 24 from those communities go up to the hot springs
24 and that they'll go up there actually more specifically hunting
25 caribou, but that because black bear is an opportunistic hunt,
26 they'll possibly take black bear along the way. So we were
27 able to find out from different Council members and from some
28 other individuals who live in the area that there is some usage
29 that occurs by those people in the Unit 24 communities. It's
30 just not been recorded in the literature and it's not been in
31 the databases.

32
33 When we do c&t analyses we have eight factors that we
34 look at. And the first one that I had just talked about was
35 the long term consistent pattern of using black bear. The
36 second factor is pattern of use, of recurring and specific
37 seasons for many years. And we know that black bear are taken
38 in the fall and the spring, although they may be hunted year-
39 around. I'm not going to go into great detail about the black
40 bear usage and the seasons. We don't have information on
41 hunting black bear, the seasons in Unit 23, but we do know that
42 the -- I mean from the Unit 24 communities, but we do know that
43 the people in Unit 24, they consistently hunt black bear in the
44 fall and the spring. The next factor is a pattern of use,
45 consisting of methods and means of harvest. And, again, I'm
46 not going to go into detail about that. We know that black
47 bears are hunted today with high-powered rifles. There has
48 been den hunting of bears in the past in Unit 23. It doesn't
49 appear that too many people today from Unit 23 hunt bears from
50 the dens, although the Unit 24 people still do some den

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1 hunting.

2

3 And the next factor is the consistent harvest and use
4 of fish and wildlife as related to past methods and means of
5 taking near or reasonably accessible from the community or
6 area. And this I've actually already touched on. The areas in
7 which Unit 23 people are hunting bears in Unit 23 primarily,
8 there's a little bit of use that goes into 24 and 22. And we
9 don't have specific information as to where the Unit 24
10 residents are going in 23, it's just from some testimony that
11 we know that people have gone up into 23 and occasionally taken
12 black bear. The only mapping I did have was Galena residents,
13 their black bear use area has been mapped. And this will be
14 presented to the Western Interior Council as well. And it
15 doesn't show that they go up into Unit 23. But from what we've
16 heard perhaps, you know, there is some incidental taking of
17 black bear that goes on in Unit 23. And it actually isn't that
18 far from Unit 23.

19 The caribou use area, there's an error in the analysis
20 that should have been presented in this map, but does go into
21 23. And from what I had heard from some people we talked to,
22 they said there is occasionally black bear taken when they're
23 going into the Unit 23 to take caribou. Alatna and Allakaket
24 use areas have been mapped and those also don't go into 23.
25 But, again, from the testimony we've received people do go into
26 23 to go to the hot springs and that is black bear habitat and
27 there maybe some incidental taking of black bear there as well.
28 And the same is true of Hughes. That map has been presented as
29 well.

30

31 The other factors, the means of handling, preparing,
32 preserving and storing fish and wildlife, handing down
33 knowledge of fishing and hunting skills, and then the sharing
34 factor, these are all in your book. There is evidence that all
35 of these factors have been fulfilled and I don't think any of
36 those are of particular issue. As well as the factor on the
37 reliance of a wide diversity of fish and wildlife resources.
38 All of these villages in the region utilize all of the
39 resources that are available to them. So the conclusion the
40 Staff had was to modify the original proposal which was only to
41 include Unit 23 communities and to add the residents of Galena,
42 Huslia, Hughes, Allakaket, Alatna and Koyukuk to the c&t
43 determination. That's all I have on this proposal, Mr. Chair.

44

45 CHAIRMAN GOODWIN: Thank you, Helen. Any questions to
46 Helen? Bert.

47

48 MR. GRIEST: In Deering, Kivalina and Buckland, are
49 those villages still eligible to use black bears for
50 subsistence?

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1 MS. H. ARMSTRONG: Well, what I think the Council
2 decided last time, and I went along with, was that even though
3 they're not in a black bear habitat area, and someone on the
4 Council last time from Buckland -- who is from Buckland?
5 Percy. I think you had mentioned last time that you do get
6 some black bear. And I put that in the analysis. That it's
7 not right in Buckland, but in an area close to it. The same
8 with Noatak. I don't think they're right in an area, but
9 they're close to it. So what I did was go ahead and recommend
10 giving c&t to all the residents of Unit 23. That way if
11 someone is -- I think what the Council wanted last year was so
12 that if you're visiting somebody else you can still hunt black
13 bear, even though it's not Point Hope, Kivalina and Deering
14 aren't probably getting much black bear at all, if at all.
15 That's up to the Council. This is one of those kind of I guess
16 I should say sensitive areas, that do you give it to a
17 community when they don't have black bear in their area? And
18 it's an issue we're dealing with with other regions as well.
19

20 CHAIRMAN GOODWIN: Any other questions? Barb, do you
21 have a summary of written comments, other than the one you
22 distributed to us from the Gates of the Arctic National Park
23 Subsistence Resource Commission?
24

25 MS. B. ARMSTRONG: On Proposal 93?
26

27 CHAIRMAN GOODWIN: Yeah.
28

29 MS. B. ARMSTRONG: Just the one for ADF&G. It's a
30 deferred action, pending a comprehensive review of which
31 communities have c&t of black bear in Unit 23.
32

33 CHAIRMAN GOODWIN: Thank you, Barb. Also she
34 distributed this one here in pink regarding the comments from
35 the Gates of the Arctic people. At this time I'll open the
36 floor to public comments on the proposal. Say your name for
37 the record, please.
38

39 MR. RABINOWITCH: Mr. Chairman, Sandy Rabinowitch from
40 the National Park Service. I believe that if you compare the
41 pink sheet that you just spoke about from the Gates of the
42 Arctic Subsistence Resource Commission, to the conclusion that
43 Helen has just spoke of on page 18 of your book, I believe
44 those two are in alignment, that they match up. So that the
45 Subsistence Resource Commission's recommendation I believe
46 matches with the Staff recommendation we just heard.
47

48 COURT REPORTER: Excuse me. If anybody else has a
49 comment, if you'd get to a microphone it would help a lot
50 because I'm having trouble hearing.

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1 CHAIRMAN GOODWIN: Did you get those comments?

2
3 COURT REPORTER: I hope so.

4
5 CHAIRMAN GOODWIN: Any other comments? Any other
6 agency comments, Federal or State? State your name for the
7 record, please.

8
9 MS. ANDREWS: Thank you, Mr. Chairman. My name is
10 Elizabeth Andrews and I'm with the Alaska Department of Fish
11 and Game. I wanted to elaborate a bit on what was just read as
12 being our comments on this proposal. They are in your packet
13 on page 21. And basically our concern was with the original
14 proposal. And that's what we were asked to comment on in
15 January. It didn't address some of the other communities
16 outside of Unit 23. And we were also concerned about
17 communities that were National Park Service resident zoned
18 communities that weren't addressed in the proposal either. And
19 given what we've seen now with what's in the Staff analysis, I
20 think most of our concerns have been addressed.

21
22 The Gates of the Arctic Subsistence Resource Commission
23 took it up and took action. There was discussion in the
24 analysis that Helen Armstrong just summarized for you that
25 talked about other communities on the Koyukuk River, for
26 example, and she also presented information that clarified what
27 some of the subsistence use information was that show just use
28 of bears and she tried to distinguish where we do have
29 information on use of brown bears compared to black bears. So
30 given that we had to submit our comments back in January, we
31 did raise some of those concerns and I think most of them have
32 been addressed here. Thank you.

33
34 CHAIRMAN GOODWIN: So your position is still to defer?

35
36 MS. ANDREWS: No, we were suggesting that the Board
37 defer action unless this other information had been brought
38 forward. And given that it has been brought forward, we would
39 no longer recommend deferring action on it.

40
41 CHAIRMAN GOODWIN: So when that comes before the
42 Subsistence Board you will have your amended recommendation?

43
44 MS. ANDREWS: Yes. That's correct.

45
46 CHAIRMAN GOODWIN: Thank you. Any other agency
47 comments? If not, item Subpart F, regional Council
48 deliberation and recommendation. What's the wish of the
49 Council?

50

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1 MR. GRIEST: Mr. Chairman, I move that we approve
2 Proposal 93.

3
4 CHAIRMAN GOODWIN: Is there a second?

5
6 MR. CUSTER: Second.

7
8 CHAIRMAN GOODWIN: Seconded by Stanley. That's with
9 the Staff recommendation language, Bert?

10
11 MR. GRIEST: With the Staff recommendation language.

12
13 CHAIRMAN GOODWIN: Okay. Any discussion?

14
15 MR. BALLOT: Question, Mr. Chairman.

16
17 CHAIRMAN GOODWIN: Question's been called. All in
18 favor signify by saying aye.

19
20 IN UNISON: Aye.

21
22 CHAIRMAN GOODWIN: All opposed.

23
24 (No opposing responses)

25
26 CHAIRMAN GOODWIN: Unanimous. Proposal number 94.

27
28 MS. H. ARMSTRONG: Thank you, Mr. Chair. This proposal
29 was made by the North Slope Regional Council, it is for adding
30 Point Lay to the Unit 23 sheep customary and traditional use
31 determination. And since this affects this Council, this is
32 being brought before both the North Slope and the Northwest
33 Councils.

34
35 Point Lay is an interesting community, a little bit
36 different from some of the communities in the Inupiat region
37 because it has been I guess I would say a re-established
38 community. Prior to 1930 the people lived in the region but
39 were scattered in semi-permanent dwellings in the area and
40 there wasn't a specific village and people were fairly semi-
41 nomadic, moving around. We don't have a lot of information
42 about what people did historically, but we do know that the
43 Inupiat people were people who utilized the resources that were
44 there and as they were at times going on long hunting trips. I
45 feel certain if there was a need and they saw sheep they would
46 have taken them. We don't have any information in the
47 databases or in the literature that suggests that Point Lay
48 residents have ever taken sheep. I spent a fair amount talking
49 to the ADF&G subsistence researcher from Fairbanks who has done
50 a lot of work in Point Lay and he said when he went in there

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1 and they talked about what resources do you take, you know,
2 sheep wasn't ever mentioned. However, he also thought that
3 there is a possibility that people's patterns of use have
4 changed some and that there has been a shift in the sheep
5 population in the De Long Mountains and that it may be that
6 with more powerful snow machines people can go longer
7 distances, that maybe people are taking some sheep.

8
9 Last year at the regional Council meeting in January,
10 the regional Council representative from Point Lay specifically
11 named people who had gone hunting sheep in the Noatak National
12 Preserve. What wasn't provided to us was when that happened or
13 how many sheep might have been taken. But we do have some
14 sense that there have been some sheep taken. And that's where
15 this proposal came from. So we don't have a lot of information
16 historically and then therefore because we don't have any
17 information that people have actually taken sheep, then I don't
18 have information on the other eight factors. You can
19 hypothesize that being a small Inupiat community that their
20 sheep usage is going to be similar to other usage, their other
21 resources they take, or in specific seasons and would have a
22 pattern of seasonality and that the way in which they take
23 them, the methods and means, would be similar to other large
24 game animals.

25
26 The issue that it's reasonably accessible, it is about
27 a hundred miles from their village and, you know, that's up to
28 the Council to decide if that's reasonably accessible or not.
29 I mean it's not unusual for people to travel those long
30 distances. It's also not unusual for people to not go that
31 far. In terms of how they handle it, since we don't have any
32 information on them taking sheep, we don't know, but we can
33 assume that they would handle sheep in a similar way that they
34 would handle other large mammals and that they would pass down
35 the information from generation to generation. And that the
36 sharing would occur in a similar way. We just don't really
37 have the information. Point Lay residents do depend on a wide
38 diversity of fish and wildlife resources. They use all of the
39 resources available to them, fish, migratory birds, brown and
40 polar bears, moose, furbearers, spotted seals, beluga whales,
41 walruses. 83 percent of the households harvested some type of
42 subsistence resource. So we do know that it is a subsistence
43 community.

44
45 Our preliminary conclusion is to adopt the proposal if
46 we can get perhaps a little bit more supporting information
47 from the North Slope Regional Advisory Council. That meeting
48 won't be until the beginning of March. So you won't have the
49 benefit of hearing from them, but they have been asked to see
50 if they can provide some additional information and I would

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1 think they probably will. That concludes my analysis.

2
3 CHAIRMAN GOODWIN: Any questions? Earl.

4
5 MR. KINGIK: Earl Kingik, Native Village of Point Hope.
6 I've got a question to her. Has this proposal been proposed to
7 the Community of Point Hope? Any recommendation from the
8 community or the IRA government?

9
10 MS. H. ARMSTRONG: From Point Hope?

11
12 MR. KINGIK: Yeah. Did you go to Point Hope and talk
13 to them about this?

14
15 MS. H. ARMSTRONG: Well, Point Hope is on the North
16 Slope Regional Council and they do have a representative on
17 that Council. And that wouldn't come until we have the meeting
18 in the beginning of March.

19
20 MR. KINGIK: You didn't have no community meetings
21 or.....

22
23 MS. H. ARMSTRONG: In Point Hope or Point Lay?

24
25 MR. KINGIK: Point Hope. See, the Native Village of
26 Point Hope got a 65 mile radius on tribal land. Because that's
27 Stevens Wildlife Refuge up there, Cape Lisburne and something
28 like that. And Point Hope work closely with these different
29 areas and we do hunt up there and we like to hear when you make
30 proposals like that. We don't know, you know.

31
32 MS. H. ARMSTRONG: Well, you know, it's why we have
33 representatives on our Council from the communities and, you
34 know, it's a little bit up to those representatives to talk to
35 people in their community about these proposals. I think
36 that's been the kind of history of what we've done with having
37 regional Councils so that we do get representation from those
38 villages.

39
40 CHAIRMAN GOODWIN: Barb, are they on a mailing list,
41 the Native Village of Point Hope?

42
43 MS. B. ARMSTRONG: They are now.

44
45 CHAIRMAN GOODWIN: Bert, you had a question?

46
47 MR. GRIEST: The North Slope Advisory Council is the
48 one that proposed this, right?

49
50 MS. H. ARMSTRONG: Right. And it specifically was the

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1 representative from Point Lay who proposed it.

2

3 MR. GRIEST: Okay.

4

5 CHAIRMAN GOODWIN: Any other comments?

6

7 MR. STONEY: Mr. Chairman.

8

9 CHAIRMAN GOODWIN: Raymond.

10

11 MR. STONEY: For your information I think in about a
12 month or so I just heard that Point Hope is being on control of
13 Arctic Slope, is that correct?

14

15 CHAIRMAN GOODWIN: No, we are still with Unit 23.
16 We're put with Unit 26, but we're out of their unit.

17

18 MR. STONEY: I know there was a (indiscernible) where
19 they're being transferred to Unit 24.

20

21 COURT REPORTER: Louder, sir, we can't hear you over
22 here.

23

24 CHAIRMAN GOODWIN: Any other comments? What is the
25 wish of the Council on Proposal 94? We have a staff
26 recommendation. If this Council go ahead and acts to approve
27 and we don't get the information from the North Slope, will it
28 still stand or is it pending the information?

29

30 MS. H. ARMSTRONG: I think you could make it contingent
31 on more information. I think.

32

33 CHAIRMAN GOODWIN: What I'm asking you is if we can
34 pass it without contingent information? Barb.

35

36 MS. B. ARMSTRONG: On the comments, the Alaska
37 Department of Fish and Game deferred. I don't know if
38 Elizabeth have anything more than that.

39

40 CHAIRMAN GOODWIN: Liz.

41

42 MS. ANDREWS: Thank you, Mr. Chairman. Elizabeth
43 Andrews. We deferred our comments again in January because we
44 felt like we needed to hear some more of the discussion both
45 from this Council as well as North Slope Council when they
46 meet. Our staff have talked to Helen Armstrong and provided
47 what information we had about uses and that's been
48 characterized in what she just presented to you. What we would
49 be interested to know if any members of the public or Council
50 knows here too is any specific times of the year that people

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1 from Point Lay hunt sheep in the De Longs or other parts of
2 Unit 23. And also what type of access they use to reach those
3 sheep populations. Is it, you know, primarily on snow machine
4 or are aircraft ever used. We're trying to get some idea of
5 what the pattern of use might be. Because we don't have that
6 information. So those are just some of the questions we have
7 out there ourselves. And if this Council or the public or
8 North Slope.....

9
10 CHAIRMAN GOODWIN: Judging from the comments that were
11 in the packet, I doubt if that family has an airplane. But I
12 do know they have snow machines. You can make your conclusions
13 on that, the access is primarily by snow machine. They're
14 certainly not going to walk a hundred miles.

15
16 MR. KINGIK: Like Point Hope could have helicopter,
17 airplanes, ships, you know, stuff like that.

18
19 CHAIRMAN GOODWIN: Any other comments? Raymond.

20
21 MR. STONEY: Is this the recommendation from you to
22 pass the proposal?

23
24 CHAIRMAN GOODWIN: Yes.

25
26 MR. STONEY: Okay.

27
28 CHAIRMAN GOODWIN: That's the Staff recommendation,
29 right?

30
31 MS. H. ARMSTRONG: Well.....

32
33 CHAIRMAN GOODWIN: Their conclusion.

34
35 MS. H. ARMSTRONG:if we can get some additional
36 supporting information from the North Slope, yes. And I'll
37 leave it at that.

38
39 CHAIRMAN GOODWIN: Any other comment? Earl.

40
41 MR. KINGIK: Earl Kingik. Is this proposal going to
42 the next month meeting at Barrow?

43
44 MS. H. ARMSTRONG: Yes, it is.

45
46 MR. KINGIK: It is. Thank you.

47
48 CHAIRMAN GOODWIN: Barb.

49
50 MS. B. ARMSTRONG: Yeah. (Comments in Inupiat)

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1 CHAIRMAN GOODWIN: What she was commenting on was just
2 a clarification on incidental take between the residents from
3 Point Lay coming to Kotzebue back and forth, basically
4 incidental take. There's some hunting based on the comments
5 from the Point Lay representative, but there are some people
6 that lived here in Kotzebue that have moved to Point Lay that
7 travel between here and there and there is some incidental
8 taking in Unit 23. And they're now residents of Point Lay and
9 that's what she was commenting on. I think the conclusion
10 pretty much follows what the comments are and the question will
11 come to the Council here. Anyone wish to make a motion?

12
13 MR. BALLOT: Mr. Chair, I move to adopt Proposal 94.

14
15 CHAIRMAN GOODWIN: Is there a second?

16
17 MR. STONEY: Second.

18
19 CHAIRMAN GOODWIN: Seconded by Raymond. Bert, you have
20 a comment?

21
22 MR. GRIEST: Under discussion I think that the motion
23 would be with the condition that we would receive information
24 from Point Lay and Point Hope, right?

25
26 CHAIRMAN GOODWIN: Right. From the North Slope
27 Council.

28
29 MR. GRIEST: From the North Slope.

30
31 CHAIRMAN GOODWIN: Any other comments?

32
33 MR. GRIEST: Question.

34
35 CHAIRMAN GOODWIN: Question's been called. All in
36 favor signify by saying aye.

37
38 IN UNISON: Aye.

39
40 CHAIRMAN GOODWIN: All opposed.

41
42 (No opposing responses)

43
44 CHAIRMAN GOODWIN: Unanimous.

45
46 MS. DEWHURST: We're going to go to Proposal 89 now,
47 which is a pink insert.

48
49 CHAIRMAN GOODWIN: Oh, the musk ox.

50

00032

1 MS. DEWHURST: The musk ox one. This was submitted by
2 the Seward Peninsula Regional Advisory Council. Well, there's
3 a map in the proposal and then there's also a wall map behind
4 Willie Goodwin. It primarily includes Units 22(D), (E) and
5 Southern 23, which is south and west of the Buckland Drainage.
6 So Buckland, Deering. That's why it's being presented to you
7 folks, is because it does include Buckland and Deering and 22
8 (D) and (E). The request was to change the musk ox season to
9 one month earlier to start on August 1st versus September 1st,
10 and extend it two months later from January 31st to the end of
11 March. So one month earlier, two months later, basically.

12
13 We don't have any biological information to indicate
14 problem with one month earlier. It would involve the rut to
15 September. So that probably isn't a big deal. The later you
16 get into March the more you run the risk because in the late
17 winter the musk ox are in what they call an energy deficit.
18 They haven't been eating a whole lot, they don't eat a lot.
19 They're very different than caribou. And the caribou, in the
20 winter if there's deep snow they can dig into the snow and they
21 can still get to the lichen and things and they can still eat,
22 they actually will eat, and they'll move around. Caribou are
23 very mobile in the winter and they'll move around until they
24 find food. They have to keep eating, they have a much higher
25 metabolism. Musk ox are different. Musk ox tend to be for the
26 most part stationary in the winter. They tend to go to
27 plateaus and areas that don't have a lot of snow and they don't
28 eat a whole lot. They will eat, but they're eating like willow
29 branches and things. They aren't eating very much. So any
30 sort of disturbance can be pretty critical on them, primarily
31 the cows.

32
33 And that was the concern, if we get too late into
34 March, there are several people that have testified at the Musk
35 Ox Cooperators meeting and information from North Slope that
36 the cows will start dropping calves as early as mid-April. And
37 there was concern that as you get into the end of March any
38 disturbance to these cows can sometimes cause them to abort or
39 cause problems with the fetuses. There has even been
40 documentation from Canada that you get the double whammy, you
41 can calm them to abort the fetus and they don't go into estrus
42 again. So they can't get pregnant that following summer. So
43 they can't get a calf the next summer. So you get kind of a
44 double whammy. So there's lots of people that are concerned
45 about running the hunt too late. But everybody seemed to feel
46 that March 15th was a safe date. If you give them those extra
47 two weeks at the end of March, then they felt like that was a
48 comfortable pillow there for the cows. So on the biological
49 end saying August 1st to March 15th was the Staff
50 recommendation.

00033

1 There was a lot of discussion at the recent Seward
2 Peninsula Musk Ox Cooperators Group in Nome, I guess it was
3 about three weeks ago now. At least two different people
4 commented they really liked the August 1st date. There was a
5 gentleman from Wales and I believe somebody from Deering who
6 both said that they really liked the earlier start date because
7 it gave them boat access to musk ox and that was something that
8 would be a big benefit for them. And people also testified
9 they liked the later date because as you read the proposal in
10 the past three years we've been hit with special actions to
11 extend the hunt, mainly because of the lack of snow. And this
12 being an El Nino year is another factor. It's warm, the
13 streams are hard to cross, some of them are unstable, there is
14 not a lot of snow. So every year for the past three years
15 we've been hit with a request for extending the hunt. Well,
16 basically what the RAC decided to do in Seward Pen was, well
17 why do we keep doing this every year? Why don't we just make
18 it a permanent extension. So the people at the Seward
19 Peninsula Cooperators Group, the Musk Ox Cooperators Group,
20 pretty much agreed with that. But interestingly enough, we had
21 testimony from a couple of folks there that really liked the
22 March 15th date. And one gentleman specifically said, don't
23 allow any extensions past that date because we don't want to
24 hurt the cows. And I thought that was a pretty strong comment
25 from a village person.

26
27 So everybody seems to be in agreement and there was
28 consensus by the end of the meeting to accept August 1st
29 through March 15th. And the official minutes unfortunately are
30 not out yet from that meeting or I would have given them to
31 you. But I believe that was a consensus point by the end of
32 the meeting to accept those dates. And so that went along with
33 the Staff analysis nicely. So basically what we're
34 recommending is August 1st to March 15th. So that gives them
35 one extra month in the beginning and a month and a half
36 extension on the end of the hunt. And everybody seemed pretty
37 content with that at the Musk Ox Cooperators meeting.

38
39 CHAIRMAN GOODWIN: Any questions? Raymond.

40
41 MR. STONEY: Does that affect the sub-unit from Unit 23
42 from Buckland and Deering?

43
44 MS. DEWHURST: Yeah, that would include Buckland and
45 Deering's hunt.

46
47 MR. STONEY: Okay.

48
49 CHAIRMAN GOODWIN: Any other comments? Agency
50 comments.

00034

1 MS. ANDREWS: Thank you, Mr.Chairman. Elizabeth
2 Andrews again. The Department's also a participant with the
3 Musk Ox Cooperators Group and we did discuss this with the
4 Federal Staff as well as the public that participated in that
5 and we all agreed to the March 15th date, and we wouldn't like
6 to extended beyond that. But the Federal Staff were
7 participants in that too and that is what we agreed to at that
8 meeting.

9
10 CHAIRMAN GOODWIN: Sandy, can you get to a mike.

11
12 MR. RABINOWITCH: Sandy Rabinowitch with the National
13 Park Service. As Donna was at the meeting in Nome a couple of
14 weeks ago, I was also, as was Susan Georgette and we're on the
15 agenda later to provide this information about that meeting. I
16 would just quickly say that the Park Service participated very
17 actively and we support the proposal, the extension with a
18 March 15th date for the reasons that have been explained. And
19 there are some meeting notes again that we'll give to you in a
20 little while. And it does show that the representatives at
21 that meeting, which I believe were Lester Hadley and James
22 Moto, supported it. Well, I'll pass it out, it's on here, but
23 that they supported the March 15th date also at that meeting.

24
25 CHAIRMAN GOODWIN: Any questions? Comments? Any more
26 agency comments? How about from the Council?

27
28 MR. GRIEST: Mr. Chairman, I'd like to move that we
29 pass the Proposal 89 with the August 1 through March 15th date.

30
31 CHAIRMAN GOODWIN: Is there a second?

32
33 MR. CUSTER: Second.

34
35 CHAIRMAN GOODWIN: Seconded by Stanley. Any discussion
36 on the motion?

37
38 MR. GRIEST: Question.

39
40 CHAIRMAN GOODWIN: Question's been called. All in
41 favor signify by saying aye.

42
43 IN UNISON: Aye.

44
45 CHAIRMAN GOODWIN: All opposed.

46
47 (No opposing responses)

48
49 CHAIRMAN GOODWIN: Unanimous. I noticed we jumped to
50 89 there. What's 69 and 70 there?

00035

1 MS. H. ARMSTRONG: We'll go back to 69 now.

2
3 CHAIRMAN GOODWIN: 69?

4
5 MS. H. ARMSTRONG: Yeah.

6
7 CHAIRMAN GOODWIN: Okay.

8
9 MS. H. ARMSTRONG: Mr. Chair, Proposal 69 is a proposal
10 that's coming from the Western Interior. And the analysis does
11 not appear in your book, nor does it exist yet. So we don't
12 have it. I called last night and it hasn't been completed. So
13 we'll have to talk about it and make a recommendation without
14 an analysis or a Staff recommendation.

15
16 The proposal is from the Middle Yukon Fish and Game
17 Advisory Committee and the State Interior Regional Fish and
18 Game Council. They were backlogged proposals. And the
19 existing proposal is for black bear for Unit 21 is a no
20 determination. And the proposal is to change that
21 determination from a no determination to residents of Unit 21
22 and 23, as well as residents of Tanana, Russian Mission and
23 others who have traditionally hunted in Unit 21. Since we
24 don't have an analysis I don't know that the conclusion is, but
25 I think the issue is whether or not you would support residents
26 of Unit 23 going into 21 to hunt black bear. Now we do have
27 that map that comes after page eight, map two. If you want to
28 go back in your back a little bit, this one. Go back quite a
29 few pages back from where we are on page 34, but it comes just
30 after page eight under Section P.

31
32 This is the map that was done by Fish and Game and
33 Maniilaq. Is that right, Susan, Fish and Game and Maniilaq
34 worked on it, right? And they mapped the use area of bears for
35 Unit 23, and that included brown bears and black bears. But if
36 we look at that map, and if this map is correct, then it
37 doesn't show them going into Unit 21.

38
39 CHAIRMAN GOODWIN: That's what I was asking Percy and
40 he said, yeah, they do go on to Unit 21.

41
42 MS. H. ARMSTRONG: In Unit 21?

43
44 CHAIRMAN GOODWIN: Yeah.

45
46 MS. H. ARMSTRONG: Okay.

47
48 CHAIRMAN GOODWIN: That area where it says Koyuk and
49 Shaktoolik, is that Unit 21?

50

00036

1 MS. H. ARMSTRONG: No, that's Unit 22. You can see
2 that here on this map, this is the Unit 22 map. So here is
3 Koyuk. Yeah, this is 22, so 21 would be right here.

4
5 CHAIRMAN GOODWIN: Okay.

6
7 MS. H. ARMSTRONG: That one is kind of small and it
8 doesn't show the regions. So 21 is the area around Galena.
9 MS. B. ARMSTRONG: It's on page 115.

10
11 MS. H. ARMSTRONG: And then this would be 22 in here.

12
13 CHAIRMAN GOODWIN: The same one right here in the book.

14
15 MS. H. ARMSTRONG: Yeah, it's the same one. So it's up
16 to the Council to decide if you go into 21 to hunt black bear.

17
18
19 CHAIRMAN GOODWIN: I think if we're going to go into
20 21, we might as well go into 22.

21
22 MS. H. ARMSTRONG: Well, I mean that would be another
23 proposal.

24
25 CHAIRMAN GOODWIN: Oh, is there another proposal?

26
27 MS. H. ARMSTRONG: No. Nobody has made that proposal
28 is what I mean and we're not dealing with 22 today, we're only
29 dealing with 21.

30
31 CHAIRMAN GOODWIN: Oh, we can amend Proposal 69 that
32 we're talking about, right?

33
34 MS. H. ARMSTRONG: Well, my recommendation would be to
35 wait until the fall and make another proposal. Actually, I
36 should see if maybe we don't need to. I can't remember off the
37 top of my head. Yeah, actually, you would need to make one
38 because right now for Unit 22 it's only for residents of 22.
39 But since you're changing it that much you would have to really
40 make it another proposal for the next year.

41
42 CHAIRMAN GOODWIN: Actually, if you look closely in the
43 map, the one you showed us on page eight there, that's Unit 22.
44 And you're asking us to make a change in 21?

45
46 MS. H. ARMSTRONG: Well, the proposal that was made
47 included -- and these people just made the proposal, they're
48 from the Middle Yukon.

49
50 CHAIRMAN GOODWIN: I know, but you were justifying the

00037

1 proposal by using the map for the usage on 22.

2

3 MS. H. ARMSTRONG: Well, what I was saying is that from
4 this map it shows you don't go into 21.

5

6 CHAIRMAN GOODWIN: Yeah. Thank you. Any other comment
7 by the agency folks here?

8

9 MS. H. ARMSTRONG: Mr. Chair, what you could do -- I
10 mean the Proposal 69 actually addresses a lot of things. It
11 addresses Unit 21 and 23, as well as Tanana, Russian Mission
12 and then it's just got others. And since we don't have an
13 analysis I don't know whether they found others or not who
14 should be included. And what you could choose to do is to only
15 address that portion which affects 23 and not have an opinion
16 about the remainder of it. A lot of times Councils do that
17 where they only address that portion that affects them and they
18 let the other Councils decide on, you know, the other issues,
19 like Russian Mission, whether or not that should be included.

20

21 CHAIRMAN GOODWIN: What's the wish of the Council?

22

23 MR. BALLOT: Mr. Chair, I'd move to accept Proposal 69.

24

25 MR. GRIEST: Second.

26

27 CHAIRMAN GOODWIN: Seconded by Bert. Any comments?

28

29 MS. ANDREWS: Thank you, Mr. Chairman. The Department
30 of Fish and Game, we're deferring comments. Primarily because
31 we don't have information either from Unit 23 and we look to
32 the public to provide that. We do have some information for
33 the communities of Tanana and Russian Mission and I know that
34 will probably be included when the analysis is completed,
35 because our staff has been talking with the Federal staff. But
36 we would look to the Council to provide any information for
37 Unit 23. Thank you.

38

39 CHAIRMAN GOODWIN: Bill.

40

41 MR. KNAUER: Yes, Mr. Chairman. It would be very
42 important to provide justification for support on Unit 23 using
43 Unit 21. We need something like that for the record because
44 one of the aspects of the program is that recommendations
45 should be supported by substantial information. So if there is
46 no information that residents of Unit 23 use 21, that's one
47 thing. that may call for a different conclusion, and if there
48 is some evidence that they do.

49

50 CHAIRMAN GOODWIN: You want to justify it?

00038

1 MR. BALLOT: Well, what kind of justification do you
2 need?

3
4 MS. H. ARMSTRONG: Perhaps which communities go into
5 21.

6
7 MR. BALLOT: Buckland.

8
9 MS. H. ARMSTRONG: Buckland.

10
11 MR. BALLOT: We have some folks from Noorvik that come
12 up to Buckland that go way far back that way, probably from
13 Selawik that we take out that way.

14
15 MS. H. ARMSTRONG: Percy, would it be fair to
16 characterize it that they may be going into that area and then
17 would just opportunisticly take black bear but not specifically
18 taking them there or would that be.....

19
20 MR. BALLOT: Incidental. I wouldn't say they're going
21 out to find them, you know.

22
23 MS. H. ARMSTRONG: Incidental. Right.

24
25 CHAIRMAN GOODWIN: Incidental will keep them from being
26 criminals with that language.

27
28 MS. H. ARMSTRONG: So Buckland and Selawik. Any other
29 communities that you think might go down there? Do you have
30 any idea?

31
32 MR. BALLOT: I wouldn't say just for black bear, but
33 caribou or whatever have fur on it.

34
35 MS. H. ARMSTRONG: Okay.

36
37 CHAIRMAN GOODWIN: Any other comments? Do you need
38 more justification?

39
40 MR. KNAUER: No, something like that on the record is
41 really what we need.

42
43 CHAIRMAN GOODWIN: Any more discussion on the motion?

44
45 MR. GRIEST: Question.

46
47 CHAIRMAN GOODWIN: Question's been called. All in
48 favor signify by saying aye.

49
50 IN UNISON: Aye.

00039

1 CHAIRMAN GOODWIN: All opposed.

2
3 (No opposing responses)

4
5 CHAIRMAN GOODWIN: Unanimous. Was that 70 too, 69 and
6 70?

7
8 MS. H. ARMSTRONG: That was 69, but 70 also is about
9 black bear. And, actually, I think I kind of want to do 70, 71
10 and 72, to talk about them all together. Actually, 70, 71 and
11 72, and then 72, 73 and 74, that's one proposal. And those are
12 the ones that I handed you this morning. I just got those this
13 morning by fax. All of these proposals were submitted by the
14 Akiak and Akiachak IRA and those are communities down on the
15 Kuskokwim River, not too far from Bethel. They have been
16 trying to increase their use area and get an expanded customary
17 and traditional use determination. And because the areas
18 they're asking for you also have c&t for, that's why these have
19 come to your Council.

20
21 Proposal 70 they're asking for black bear in Units
22 21(A) and 21(E). And, as you know, it was a no determination
23 and it's been proposed that you have c&t for that. In Proposal
24 71 it's for brown bear in Units 21(A) and 21(E), and Unit 23
25 also has c&t in there for brown bear. And then for 72 it's for
26 caribou, and Unit 23 also has a c&t for that area. I'd like to
27 talk about these perhaps all together. And since this is kind
28 of far away from here, I'm not going to go into any great
29 detail. Basically the Akiak and Akiachak IRAs have asked for
30 an expanded use area. And the person who did this research is
31 from another region, so I wasn't the one that did it. They
32 didn't have much information on Akiak and Akiachak to support
33 any of these proposals. And they didn't have any information
34 to support it. The mapping that has been done for these areas
35 does not show that they use 21(A) and (E) for these resources.
36 And so the preliminary conclusion for the Staff was that all
37 three of these proposals should be rejected because they don't
38 meet the eight factors for providing c&t.

39
40 CHAIRMAN GOODWIN: I have a question. You know, it's
41 some action that's taking place outside of our jurisdiction,
42 why do we need to act on it, you know?

43
44 MS. H. ARMSTRONG: And I should say you don't have to
45 act on it. You can defer it to the other Council, but it's
46 been brought to you only because you also have c&t for those
47 areas. So that's why it's been brought to you, but if you
48 choose to defer it to the other Councils, that's fine.

49
50 CHAIRMAN GOODWIN: I think that would be appropriate

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1 for us to defer it to the affected Council for their action.

2

3 MS. H. ARMSTRONG: Okay. That certainly is very
4 acceptable to do that.

5

6 CHAIRMAN GOODWIN: Any objection to that from the
7 Council? Then we'll leave it at that.

8

9 MS. H. ARMSTRONG: That makes it easy.

10

11 CHAIRMAN GOODWIN: Thank you.

12

13 MS. H. ARMSTRONG: Okay. Great. Thank you. And with
14 that, the concludes our.....

15

16 MS. DEWHURST: There is Proposal 75.

17

18 MS. H. ARMSTRONG: Oh, right. I'm sorry, 75.

19

20 CHAIRMAN GOODWIN: 72, 73 and 74.

21

22 MS. H. ARMSTRONG: And then there is 75. It's the very
23 last one and Donna is going to present that one.

24

25 MS. B. ARMSTRONG: Helen, did they say no action or
26 defer?

27

28 MS. H. ARMSTRONG: No action.

29

30 MS. B. ARMSTRONG: No action. Okay.

31

32 MS. DEWHURST: Okay, 75 is in your book, it's on the
33 last four pages before marker Q. And basically it's taking the
34 caribou season in 21. And the only change they're requesting
35 is for Unit 21(A) caribou, to add the December season, December
36 10th through the 20th. And this will line up with State
37 regulations. So really as far as the Federal site goes, they
38 didn't see any biological problems with it and support it
39 basically because it would be lining up Federal and State
40 regulations. Under State regulations there is a sport hunt in
41 December. So this would line right up with that. It would add
42 the subsistence hunt during the same time period for 21(A).

43

44 CHAIRMAN GOODWIN: Sport hunt in December?

45

46 MS. DEWHURST: Well, I shouldn't say a sport hunt.
47 There's a State hunt, let's put it that way. There is a State
48 hunt.

49

50 MR. KNAUER: Can I make a comment?

00041

1 MS. DEWHURST: Sure.

2
3 MR. KNAUER: Mr. Chairman.

4
5 CHAIRMAN GOODWIN: Bill.

6
7 MR. KNAUER: The term sport hunt is frequently misused
8 because although the State has a general season, the use
9 requires the salvage of meat. So the term sport hunt has just
10 been misused. It's actually a personal use because the users
11 are required to salvage everything.

12
13 CHAIRMAN GOODWIN: Well, to me it's just another avenue
14 for some guy living in Anchorage who had a sport hunting
15 license to go over to Akiachak and shoot a caribou. Right?

16
17 MR. KNAUER: Well, there is the dependence for food.

18
19 MS. DEWHURST: I think what he's just saying is sport
20 hunt doesn't necessarily mean trophy hunt, that there are a lot
21 of sport hunters out there under the State regulations that are
22 meat hunters too.

23
24 CHAIRMAN GOODWIN: Any other agency comments regarding
25 75? Elizabeth.

26
27 MS. ANDREWS: Thanks, Mr. Chairman. The Department
28 supported this proposal. We do have a subsistence hunt in
29 there, so I'd like to make that clarification that we have
30 subsistence hunts and general hunts and non-resident hunts.
31 And in that area we also have a subsistence hunt. But we
32 support the proposal.

33
34 CHAIRMAN GOODWIN: Any comments from the Council?
35 What's the wish of the Council? The preliminary conclusion by
36 the Staff analysis is to adopt the proposal.

37
38 MR. GRIEST: 72, 73, 74?

39
40 CHAIRMAN GOODWIN: No, just 75.

41
42 MR. GRIEST: 75?

43
44 CHAIRMAN GOODWIN: Yeah.

45
46 MR. GRIEST: Mr. Chairman, I move that we accept that
47 recommendation on Proposal 75 and that we accept -- I mean
48 approve Proposal 75.

49
50 CHAIRMAN GOODWIN: Is there a second?

00042

1 MR. BALLOT: Second, Mr. Chair.

2
3 CHAIRMAN GOODWIN: Seconded by Percy. Any discussion
4 on the motion?

5
6 MR. GRIEST: Question.

7
8 CHAIRMAN GOODWIN: Question's been called. All in
9 favor signify by saying aye.

10
11 IN UNISON: Aye.

12
13 CHAIRMAN GOODWIN: All opposed.

14
15 (No opposing responses)

16
17 CHAIRMAN GOODWIN: Unanimous. Do we have any other
18 proposals?

19
20 MS. DEWHURST: That's all.

21
22 CHAIRMAN GOODWIN: Well, we're moving right along
23 there. Item 10, old business, tab Q. We have the Annual
24 Report. Any comments regarding the Annual Report?

25
26 MS. B. ARMSTRONG: This was mailed out to you earlier.
27 This is Barb Armstrong. And this was written by your former
28 Chair and I like always send out to you each year asking you if
29 there are any issues that need to be brought up in your Annual
30 Report. And this was the report that was written by Fred, your
31 former Chair and then it has Bert Griest as Vice-Chairman for
32 signature. So if you would go through it. And there are some
33 questions already being discussed here today, like I think on
34 the co-management and the Council stipends and board
35 restructure that are going to be discussed here at the meeting
36 today. And so I am only asking for your approval, who sent
37 this in to me. Thank you.

38
39 CHAIRMAN GOODWIN: There is a request to approve the
40 Annual Report as submitted, the summary of the Annual Report.

41
42 MR. BALLOT: Mr. Chair, I move to approve the Annual
43 Report.

44
45 CHAIRMAN GOODWIN: Is there a second?

46
47 MR. GRIEST: I'll second.

48
49 CHAIRMAN GOODWIN: Seconded by Bert. Any discussion?

50

00043

1 MR. BALLOT: Question.

2
3 CHAIRMAN GOODWIN: Question's been called. All in
4 favor signify by saying aye.

5
6 IN UNISON: Aye.

7
8 CHAIRMAN GOODWIN: All opposed.

9
10 (No opposing responses)

11
12 CHAIRMAN GOODWIN: Unanimous. Subpart B under old
13 business, Regional Council and new member training materials.
14 Barb.

15
16 MS. B. ARMSTRONG: I was told before I left Anchorage
17 that these booklets would be here today, but then I guess they
18 weren't sent up. So I will be mailing them out to you with a
19 cover letter. I think that's an old one already again.

20
21 CHAIRMAN GOODWIN: It's an old one already?

22
23 MS. B. ARMSTRONG: Yeah. So I will be mailing them out
24 to you with a cover letter and especially to you, Willie. So
25 that's it on the new member training materials. Thank you.

26
27 CHAIRMAN GOODWIN: Okay. Subpart C, coordination with
28 ADF&G, Regional Council comments needed, Tab R. Any
29 discussion?

30
31 MS. B. ARMSTRONG: I think this is where ADF&G wants to
32 get involved in the process of proposals with the Staff
33 Committee. And then they're asking you to see if you would
34 approve or not approve of this ADF&G being involved in the
35 Staff Committee when they're dealing with your proposals on the
36 Federal side. And there were some comments saying that the
37 Federal people are not involved on the State side when they're
38 dealing with their proposals. And do you have any more
39 comments, Bill?

40
41 CHAIRMAN GOODWIN: Well, a question I'd like to pose to
42 the State people is, if your comments would be constrained only
43 to the statutes that are in place regarding subsistence? If
44 that's so, then it's not going to be much help, will it?

45
46 MS. ANDREWS: Mr. Chairman, our objective here is to
47 approve the coordination with the Federal program. We do have
48 technical information, both biological and subsistence use
49 information that's important for Staff Committee members to
50 hear. And they don't often get the chance to hear that

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1 information. So we're looking at it as an opportunity to
2 present technical information that is irrespective of where the
3 game animals are, whether they're on State or Federal lands.
4 Because we're describing biological aspects of game populations
5 regardless of where they are. And that information isn't
6 always available before the Staff Committee and this would help
7 present them with that information.

8
9 CHAIRMAN GOODWIN: Have you attempted to provide this
10 information in the past? Has it ever been ignored, let me put
11 it that way?

12
13 MS. ANDREWS: Well, we haven't had the opportunity to
14 present it before.

15
16 CHAIRMAN GOODWIN: Bill.

17
18 MR. KNAUER: Yes, Mr. Chairman. It has been the
19 practice of the State to have their biologists and folks at the
20 Regional Council meetings to provide you with information.
21 However, for example, in this cycle the Staff Committee meeting
22 will be in March. There may be some additional surveys that
23 will be completed or data that will be developed that's ongoing
24 over the winter that won't be ready for this meeting, but would
25 be ready then. This would provide the State an opportunity to
26 present that additional information. Also during the course of
27 the year there are requests for special actions and
28 reconsideration where it's out of cycle and out of sync and
29 this would allow the State an opportunity to present the
30 technical information that might be available then. Also in
31 this process the Staff Committee also would make an effort to
32 include representation where appropriate by the Regional
33 Councils. So that might be by teleconference, any number of
34 way. So this is just recognition that the Staff Committee and
35 the subsistence user would benefit by the most information
36 possible.

37
38 CHAIRMAN GOODWIN: Any questions or comments? Bert.

39
40 MR. GRIEST: What's the real impetus behind the State
41 getting involved in the management of subsistence?

42
43 CHAIRMAN GOODWIN: I think the impetus is just getting
44 the information from them. That's what the Federal folks are
45 wanting to get. Am I correct in saying that?

46
47 MR. KNAUER: The State is very interested in providing
48 a sustained yield of fish and wildlife populations in the
49 State. The Federal program is very interested and it's their
50 primary mandate to provide for the conservation of healthy fish

00045

1 and wildlife management. Excuse me, conservation of healthy
2 fish and wildlife populations. This is essentially two ways of
3 saying the same thing. We all want to protect the resource
4 upon which many people depend. And we all believe that the
5 best way to do this is to provide the most up-to-date complete
6 information that is used to make any decisions.

7
8 CHAIRMAN GOODWIN: Any other comments? So you're
9 asking for our approval to have the State involved in the
10 technical analysis of.....

11
12 MR. KNAUER: The Board is asking if there are any
13 additional concerns or comments that the Councils have. Some
14 Councils have expressed concerns that they believe the State
15 may overly influence Staff Committee. Other Councils believe
16 that the increased cooperation is a very good thing. A lot of
17 it may be local perception and how interactions with their
18 local Fish and Game Biologists have been over the past.

19
20 CHAIRMAN GOODWIN: Any questions?

21
22 MR. KINGIK: You know, sometimes the State and Federal
23 government always talk about which land belongs to who. How do
24 you answer when our tribal government say you are trespassing
25 on tribal land? How do you guys go about that on tribal lands?

26
27 MR. KNAUER: Mr. Chairman, this program does not debate
28 one way or the other the issue of tribal sovereignty and tribal
29 land. We are only managing subsistence on Federal lands. The
30 other issue is a matter of courts and litigation and will be
31 decided therein.

32
33 CHAIRMAN GOODWIN: What do you guys think?

34
35 MR. BALLOT: I've got no problem with this, Mr.
36 Chairman, and I think this Council is fairly strong,
37 independent. I've got no problem with it.

38
39 CHAIRMAN GOODWIN: Any other comments? The only
40 comment I would have is as long as this information is shared
41 with the Advisory Councils that are within the certain game
42 units, and then if they don't have any problem with it, that it
43 be used with the deliberation that the Federal government is --
44 the agencies are concerned with. You don't need any action,
45 just comments at this point? Sandy?

46
47 MR. RABINOWITCH: We don't think any action is
48 required.

49
50 CHAIRMAN GOODWIN: We're just blessing it. Okay.

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1 MR. RABINOWITCH: You may do that formally or just
2 informally.

3
4 CHAIRMAN GOODWIN: At this point it's semi-informal,
5 you can go ahead and do whatever you're doing.

6
7 MR. KNAUER: Okay. We'll pass that information to the
8 Staff Committee then.

9
10 CHAIRMAN GOODWIN: Item D, Northwest Arctic Charter.
11 We need to deliberate and a recommendation, Tab F. Bill or
12 Barb, you had a comment?

13
14 MS. B. ARMSTRONG: I don't know if I sent you some
15 information on this regarding your charter. And I know in the
16 past you've always supported keeping rural in there and as you
17 will see right here it says on renewal of the renewal Council
18 charters in 1998, and then I've highlighted in this page where
19 it says, the Solicitor provided a formal legal opinion in
20 January 1997, saying that a rural residency requirement for
21 Regional Council was not allowed under ANILCA. And I wanted
22 just to point that out for you to see and take note on that
23 sentence. And that there was the letter that I had, that I
24 messed up somewhere that the Solicitor wrote, and then this was
25 discussing your past meetings. And Bill is really ready to
26 talk to you now.

27
28 MR. KNAUER: Mr. Chairman, the issue of having that
29 statement rural in here makes no difference for this region
30 because the entirety of this region is rural.

31
32 MS. B. ARMSTRONG: But that's not the point. That
33 should be stated there because what I was saying -- what my
34 reason was in pointing that out is because in the future when
35 something like this comes up again and they'll go back to you
36 and say, well, you approved that. Now that is all done and
37 passed, but then there's nothing that does -- it says every --
38 like 1998, when is the next time this can be renewed again?
39 And every even numbers.

40
41 MR. KNAUER: Mr. Chairman.

42
43 CHAIRMAN GOODWIN: Bill.

44
45 MR. KNAUER: The issue of whether or not the term rural
46 is a requirement for residency is a dead issue is what we're
47 saying. The Solicitor's office has made a -- despite what some
48 folks would like to do, the Solicitor's office has made a
49 decision that that conflicts with the law. And so we cannot
50 have it in, period.

00047

1 MS. B. ARMSTRONG: Oh, I'm not saying that you guys put
2 rural in here.

3
4 MR. KNAUER: So there is no action that can be done on
5 that.

6
7 MS. B. ARMSTRONG: I'm not saying that you guys can
8 make a request that rural be put in here, but then this charter
9 that you have right there goes in front of the Federal Board
10 this summer and I'm just making all my point in saying that
11 what the Solicitor had said here is his opinion too. And you
12 guys could have your own opinions too about that. But then I'm
13 not saying that you guys could vote in and say -- still
14 continue to say that you guys want rural in there. And I was
15 just pointing out my own opinions in even saying that the other
16 thing that you can say is that the residents of Northwest
17 Arctic Region, if you want, but then that's your decision.

18
19 CHAIRMAN GOODWIN: Bill, do you have any more?

20
21 MR. KNAUER: Yes, Mr. Chairman. I was going to go
22 through the whole process. The charters expire every two years
23 on even numbered years. I think for those of you that have
24 been on the council long enough recognize that. And the
25 opportunity to make some changes does occur. Currently, some
26 councils have requested increase in membership size and
27 membership. There is currently proposals before the Secretary
28 to provide for compensation. Now, until we get beyond your
29 expenses, in other words actual pay, until we get word from the
30 Secretary whether or not he will approve that or not, we can't
31 put that in the charters. If he approves it it will be added
32 to the charters. If he approves it before they go forward for
33 signature we'll put that in. If he comes back and says no,
34 there won't be for whatever reason, then we won't put that in.

35
36
37 One of the areas that was of concern in another region
38 was a member relocated, he moved his primary residence. And
39 one of the legal requirements is you must be a resident of the
40 region. Now, if it's just a temporary thing, that's no
41 problem. Are there any changes that you're aware of that you
42 believe need to be added to this charter or have you been
43 satisfied with the charter as it has been written?

44
45 CHAIRMAN GOODWIN: Anybody have any comments regarding
46 that?

47
48 MR. GRIEST: No, I don't have any comments.

49
50 CHAIRMAN GOODWIN: Do we want to keep rural in there?

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1 MR. GRIEST: I guess it don't matter. I mean we're
2 residents of the region anyway.

3
4 MS. B. ARMSTRONG: This was discussed at their last
5 meeting. That letter of January 1997 was discussed with you in
6 your past meeting.

7
8 CHAIRMAN GOODWIN: Earl.

9
10 MR. KINGIK: Under this here rural, you know, it's
11 pretty hard, you know. I don't like that word rural too much.
12 I like the word residents like Barbara said, you know. Because
13 in our region we've got this 30 day residential clause, you
14 know, were you'd be able to do anything after you take care of
15 that 30 days, but rural, you know, anybody from Anchorage can
16 come to Point Hope and go hunt my caribou, you know, because
17 we're just in a rural area. But you have residency, you know.
18 I like that. In our community we've got this tribal enrollment
19 listing which we go through. But, rural, I don't like that
20 word. But residency, if they stay 30 days, it's a State
21 requirement.

22
23 CHAIRMAN GOODWIN: Bill, if we put it in there and he
24 signs off on it, it'd be okay?

25
26 MR. KNAUER: The decision has already been made that we
27 cannot include the word rural under membership where it says,
28 and are residents of the region. We cannot include, despite
29 what some folks may wish, we cannot legally include the word
30 rural resident of the region.

31
32 CHAIRMAN GOODWIN: Any other comments?

33
34 MR. GRIEST: I've got one.

35
36 CHAIRMAN GOODWIN: Bert.

37
38 MR. GRIEST: On the removal of members, if the Council
39 member appointed under paragraph nine misses two regularly
40 scheduled meetings, the Chair of the Federal Subsistence Board
41 may recommend that so that the Secretary of Agriculture removes
42 that individual. That seems kind of stiff. I think we need to
43 have some kind of comment from our Council before removal of
44 our member it seems to me.

45
46 MR. KNAUER: Yes, Mr. Chairman. That recommendation
47 from the Chair of the Board would never be made without the
48 recommendation of the Regional Council.

49
50 MR. GRIEST: Okay.

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1 MR. KNAUER: What has happened in other regions in the
2 past is if there has been an attendance problem, the Chair of
3 the Regional Council has spoken with the particular offending
4 individual and in most cases the offending individual has
5 tendered a resignation and it's usually been because there have
6 been other commitments that they have not been able to properly
7 represent the region. But that situation, it says may and that
8 just provides an avenue.

9
10 CHAIRMAN GOODWIN: I think we should keep in mind too
11 that if they're unexcused. You know, we can certainly
12 deliberate and make comments if they're excused and he misses
13 two, but unexcused ones are the ones that we should have
14 concern there.

15
16 MR. KNAUER: The whole emphasis is to assure that the
17 subsistence users of the region are adequately represented by
18 folks that know what's happening in the region.

19
20 CHAIRMAN GOODWIN: Gordon, you had a comment?

21
22 MR. ITO: Yeah, Mr. Chair, my name is Gordon Ito.
23 Getting back to that rural residency. I feel very strongly
24 that should be in there. Even if it is a dead issue for Mr.
25 Bill Knauer here, because I've seen too many times to where you
26 open up that regulation book over there and it will tell you
27 everything from here to the moon that it's illegal, but they've
28 never pulled it out. When you're going goose hunting or such,
29 they just turn the other way, but it is illegal, when you get
30 to the legality parts of it. Mr. Knauer has stated here that
31 it's a dead issue. It is not a dead issue for us. That's
32 something that needs to be in there because as time goes on and
33 the Federal government decides what role they want to play in
34 this resource management, they're structuring like a stairway
35 here. And this is one step that we can't miss. If we get to
36 the point of letting the resource managers I guess you would
37 say make the regulations for us, you're putting the cart before
38 the horse. From what I understand here and what Sandy had
39 stated here and Mr. Knauer, that I guess you would say the
40 Subsistence Board adhere to all the suggestions from this
41 Council, this Advisory Council. And as we're putting it in
42 there and pushing it from this end, is that even if it is a
43 dead issue from this Council making a statement that it should
44 be in there, legally it's not binding, but it is down on the
45 record that this Council does back rural residency. So if it
46 ever comes back up we can say, yeah, we tried to put it in.
47 Thank you, Mr. Chairman.

48
49 CHAIRMAN GOODWIN: Thank you, Gordon.
50

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1 MR. KNAUER: It is already on the record.

2
3 CHAIRMAN GOODWIN: It is on record?

4
5 MR. KNAUER: Yes, Mr. Chairman, all of the Councils are
6 on record regarding their support of that issue.

7
8 CHAIRMAN GOODWIN: Bard.

9
10 MS. B. ARMSTRONG: Yeah. Under removal of members, the
11 other Council that I work with always bring up that person in
12 question at their meeting. And then we would talk to that
13 person and preferably ask for resignation instead of going
14 through the process of going all the way to the Secretary of
15 Interior, which was better for the members that were involved.
16 And that's the process we've been using. And on this paragraph
17 also you can see, if a Council member appointed under paragraph
18 nine misses two consecutive regularly scheduled meetings, the
19 Chair of the Federal Subsistence Board may at the request of
20 the Council Chair recommend that the Secretary of the Interior
21 with the concurrence of the Secretary of Agriculture, remove
22 that individual. But we've never to this date with the North
23 Arctic Region Council, we've never gone through this to remove
24 anyone. We've so far had resignations.

25
26 MR. KNAUER: Mr. Chairman, Barb is right. And, in
27 fact, that statement can be applied to all of the Councils.
28 The Federal Subsistence Board has never gone with a
29 recommendation to the Secretary asking for a removal.

30
31 MS. ANDREWS: So, Bill, why didn't you want it in your
32 charter, just saying that. That rather than having it say
33 this, have it reflect what really happens. Why wouldn't you
34 want it to say what really happens?

35
36 MR. KNAUER: You could make that statement, at the
37 request of the Chair of the Council. Yeah, there's nothing
38 wrong with that.

39
40 CHAIRMAN GOODWIN: I think that's what you were talking
41 about.

42
43 MS. ANDREWS: Right.

44
45 CHAIRMAN GOODWIN: You have some request that right
46 after the words, the Federal Subsistence Board may, at the
47 request of the Regional Advisory Council Chair. Let's insert
48 that.

49
50 MR. KNAUER: Would it be at the request of the Regional

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1 Council Chair or at the request of the Chair Council? Okay.
2 Regional Council.

3
4 CHAIRMAN GOODWIN: The Regional Council, yeah.

5
6 MR. KNAUER: Okay.

7
8 MS. B. ARMSTRONG: Take the Chair off?

9
10 CHAIRMAN GOODWIN: Yeah.

11
12 MS. B. ARMSTRONG: Okay.

13
14 CHAIRMAN GOODWIN: Getting back to the other thing on
15 the rural. I didn't see the old charter. Where was that word
16 rural in it?

17
18 MR. KNAUER: If you look under number 9.

19
20 MS. B. ARMSTRONG: Back in '95, that's the first.

21
22 MR. KNAUER: Number 9, membership.

23
24 CHAIRMAN GOODWIN: Yeah.

25
26 MR. KNAUER: It says seven members who shall be
27 knowledgeable and experienced in matters relating to the
28 subsistence uses of fish and wildlife and are residents of the
29 region represented by the Council. One of the charters
30 inadvertently used an old version and it had, are rural
31 residents of the region. And then when it was discovered that
32 an old version of the charter had been used, they were already
33 signed, but then the next year they caught it, that that was a
34 legal error, and had to remove that. So it's just, and are
35 residents of the region.

36
37 MS. B. ARMSTRONG: And because it also affected one
38 person, that was on the Council who was non-rural.

39
40 MR. KNAUER: Actually.....

41
42 MS. B. ARMSTRONG: Bill Thomas.

43
44 MR. KNAUER: Actually, we have had about three or four
45 non-rural members. Mr. Thomas in southeast is certainly one,
46 there were members also in Fairbanks. And it has posed no
47 problem. They have and continued where they are present to
48 perform a good job. They have been as good as any other member
49 anywhere.

50

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1 CHAIRMAN GOODWIN: Like Al Adams, he's a rural resident
2 of Kotzebue.

3
4 MR. KNAUER: All residents of Unit 23 are rural under
5 the Federal program.

6
7 MR. ITO: Mr. Chairman, my name is Gordon Ito again.
8 On this rural residency clause, what I feel very uncomfortable
9 with at this point in time is that they are trying to classify
10 us. They don't know how to classify us, whether we're rural or
11 we're residency or they're trying to go by numbers of all this
12 stuff that's coming up right now. If the rural residency was
13 put in there, they feel it's illegal, well when I go to Ambler
14 to go subsistence hunting sheep from Kotzebue, I can't hunt
15 sheep up there because it's rural residents from Ambler,
16 Shungnak and Kobuk. It classifies those people from that area,
17 the residency clause. Name Game Unit 23 all together, I should
18 be included to go up there and hunt sheep at a certain time of
19 year but I can't because that's closed to residents from
20 Kotzebue, but it's open to residents from Ambler, Shungnak and
21 Kobuk. Now, this is a catch 22 that I was looking at. That if
22 rural residency is in there, then that classifies a little bit
23 more farther down. And the issue is it should go to court or
24 let's have the finding on it not from them, but from us. I
25 think we should classify that. Everybody keeps on talking
26 about subsistence. Well, it's kind of hard for me to go and
27 get an attorney to explain subsistence to me when I'm the one
28 that's actually doing the subsistence. See, I'm getting re-
29 educated over the wheel again on subsistence. I have to go to
30 an attorney to tell me what the law is because somebody else
31 made the law, I didn't. Thank you, Mr. Chairman.

32
33 CHAIRMAN GOODWIN: You have a point. And I would
34 prefer that rural stayed in there and they want to legally tell
35 me how to -- that it's illegal and, you know, that's certainly
36 an option of the person that approves the charter.

37
38 MR. KNAUER: Mr. Chair, this Council can certainly go
39 on record as reaffirming its desire to have the term rural
40 included.

41
42 CHAIRMAN GOODWIN: Can we put it in there?

43
44 MR. KNAUER: It won't go in, but this Council can
45 certainly reaffirm its support of that.

46
47 CHAIRMAN GOODWIN: Well, let's put it in and see if
48 they'll take it out.

49
50 MS. B. ARMSTRONG: That's what Bill just said. He said

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1 it's already been decided that rural is not going to be on
2 these charters. And they come back to ask you to see what your
3 recommendations will be. Bill said it's already been decided.

4
5 MR. KNAUER: Yeah. What I'm saying is that there is
6 already a legal opinion from the Solicitor that the Secretary
7 cannot include that. This issue came up a number of years ago
8 and the Solicitor's opinion was the final decision. That
9 information on rural residency was just in there for your
10 information. It was not coming out and asking your opinion
11 again on that. We know what your opinion is. You know, you've
12 got it on the record. So that's not something we can do
13 anything about.

14
15 MS. B. ARMSTRONG: And then if they do ask if they want
16 rural back in there, then would this Council, would that make
17 it that this Council don't have a charter?

18
19 MR. KNAUER: No. What will happen is that the term
20 rural will not be added in the charter. There is a Solicitor's
21 opinion that the Secretary cannot add that, that it cannot be
22 added. What that statement there is just for the Councils to
23 let them know what the end result was. The rural issue came up
24 over a couple of years, the Solicitor's evaluated this from a
25 legal standpoint and we can't accommodate that.

26
27 MS. B. ARMSTRONG: Okay. And the other question that
28 was posed to me through a phone call is that, can they, the
29 Council go to another attorney to ask them to go through this
30 with them, that part rural.

31
32 MR. KNAUER: The Solicitor's office is the attorney
33 that provides the legal advice to the Secretary of Interior.
34 Without their blessing the Secretary of Interior will not
35 approve something. That Solicitor has said, based on the
36 review of the law, you cannot include the word rural in the
37 charter for the membership requirement. Therefore the
38 Secretary will not.

39
40 MS. B. ARMSTRONG: I know that, but then I'm asking do
41 they have their own right in getting their own attorney to
42 question that?

43
44 MS. ANDREWS: In other words, suing the government.
45 You'd have to take it to court.

46 MR. KNAUER: Yeah. There would have to be litigation
47 for it.

48
49 MS. B. ARMSTRONG: Okay. Thanks.

50

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1 CHAIRMAN GOODWIN: Well, sounds like we've got a
2 choice, we can stick it in and see if they'll take it out.
3 That'd be my preference. And at the same time we should
4 reaffirm our position that it should stay in. I think what we
5 ought to do is break for lunch and eat on it and then come back
6 and decide.

7
8 MR. KNAUER: Yeah.

9
10 CHAIRMAN GOODWIN: We'll stand at recess till 1:30.

11
12 COURT REPORTER: We're off the record at 12:10. Off
13 record.

14
15 (Off record)

16
17 COURT REPORTER: We're back on record at 1:51.

18
19 CHAIRMAN GOODWIN: Call the meeting back to order. We
20 were deliberating before we broke for lunch under Item D, the
21 Northwest Arctic Council Charter and Regional Council
22 deliberation and recommendation. What's the wish of the
23 Council now that we've had lunch to think about it and consider
24 all the comments made? Bert.

25
26 MR. GRIEST: There's a couple of considerations I think
27 we need to give. And one is the legal consideration. There is
28 a Solicitor's opinion that Section 805 did specify that the
29 language I believe that each Regional Advisory Council shall be
30 composed of residents of that region. And it did not specify
31 rural residents. I think we need to go ahead with this issue
32 and press for interest of intent to recognize that rural
33 residents were intended to provide input into the management of
34 not only the management of subsistence, but also the law did
35 intend that we be the beneficiaries of Title VIII. In that
36 light there is another practical consideration and that is I
37 think we have a Southeast Alaska Regional Advisory Committee
38 member that's Tlingit. He's from Juneau and Juneau is not
39 considered rural under the legal definition. There is that
40 practical problem we have. So in light of that I would propose
41 that we pass the charter as it is written, one, and then the
42 next item would be that we press on with the intent that we
43 have rural residents recognized as members in the Regional
44 Council of rural areas. And that rural resident be inserted
45 for those areas that are rural.

46
47 CHAIRMAN GOODWIN: Any other comments? Barb.

48
49 MS. B. ARMSTRONG: What about the part on where
50 you.....

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1 COURT REPORTER: Please get to a microphone. I can't
2 hear you.

3
4 MS. B. ARMSTRONG: Also the comment made on the removal
5 of members, where you guys discussed to add at the request of
6 the Regional Council.

7
8 MR. GRIEST: Oh, yeah. I meant that that be included
9 in the motion, if there's a motion that needs to be made. Mr.
10 Chairman, I move that we accept the proposed charter as written
11 with the addition. On the removal of member section, that we
12 insert after the Chair of the Federal Subsistence Board may, we
13 add at the request of the Regional Council. So that it would
14 read, the Chair of the Subsistence Board may at the request of
15 the Regional Council recommend that the Secretary of Interior
16 with the concurrence of the Secretary of Agriculture remove
17 that individual. We insert that and then we accept this
18 proposed charter -- I mean language for the charter. And then
19 we recognize the practical problem of inserting the word rural
20 into rural residents of the region, but that we intend to
21 express our very clear interest of intent to recognize that
22 rural residents of the region be -- of rural areas are members
23 of the Regional Advisory Council.

24
25 MR. BALLOT: Second.

26
27 CHAIRMAN GOODWIN: Seconded by Percy. Any other
28 discussion on the motion? Bill, is that pretty clear now?

29
30 MR. KNAUER: Perfect.

31
32 CHAIRMAN GOODWIN: Okay. Any other discussion?

33
34 MR. GRIEST: Question.

35
36 CHAIRMAN GOODWIN: Question's been called. All those
37 in favor signify by saying aye.

38
39 IN UNISON: Aye.

40
41 CHAIRMAN GOODWIN: Any opposed.

42
43 (No opposing responses)

44
45 CHAIRMAN GOODWIN: Unanimous. That takes us to the
46 Federal Subsistence restructure work and group status report,
47 Item P. Bill.

48
49 MR. KNAUER: Yes, Mr. Chairman. The Federal
50 Subsistence Board constituted a restructuring task force based

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1 on concerns that the Regional Councils had, particularly in the
2 area of participation in Board discussions. The task force was
3 composed of Mitch Demientieff, the Chair, Bill Thomas, the
4 Southeast Regional Council Chair, Jim Caplan on the Forest
5 Service and Dave Allen on the Fish and Wildlife Service. They
6 met in 1997, developed some alternatives. The three
7 alternatives were to continue with the existing Board, to
8 continue with the existing Board with at least one Regional
9 Council Chair that would be nominated by the Council Chairs as
10 a group, and to continue with the existing Chair with the
11 addition of one subsistence user and one State representative.
12 These alternatives were presented to the Regional Councils in
13 their fall 1997 meetings. Two of the Councils supported the
14 existing structure, six supported the structure with the
15 addition of one Council Chair and two Councils suggested
16 something else. In January of this year the task force
17 reconvened to review the Council comments and they were
18 particularly mindful that six of the Regional Councils did
19 support the inclusion of one Council Chair, with the
20 predominant rationale being that concern that Council issues
21 and views be fully aired and discussed during the Board
22 discussions. And that if the Board discussion shifted, there
23 wasn't always the opportunity for additional Council input and
24 resulting in some frustration.

25
26 There was also particular concern related to the
27 legality of having non-Federal employees in the implementation
28 of regulations, which there are certain legal constraints, and
29 that if the Board shifts too far one way, then it becomes an
30 advisory group with the regulations being promulgated from
31 Washington, D.C., which nobody was happy with. Based on all of
32 these issues the task force felt that the best solution would
33 be to restructure the way the discussion is handled at the
34 Board meetings to insure that the Council representative,
35 whether the Chair or someone else, has a full opportunity
36 throughout the deliberation process, and to retain the current
37 voting composition of the Board. And that is currently the
38 status. The Board is currently in the process of voting on
39 this decision now. And Bill Thomas will be preparing the
40 information on how the Council Chairs will be meshed into the
41 deliberation process so that there will be full opportunity for
42 discussion throughout.

43
44 CHAIRMAN GOODWIN: Any questions? You just need our
45 concerns on this because it's not presented to the Subsistence
46 Board yet?

47
48 MR. KNAUER: This was an information item for you, a
49 status report on what's happening and what the Board is doing
50 on this.

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1 CHAIRMAN GOODWIN: Any questions? Thank you. RFR
2 Bill.

3
4 MR. KNAUER: I'm up again.

5
6 CHAIRMAN GOODWIN: That's the request for
7 reconsideration and special action policy clarification.

8
9 MR. KNAUER: That's correct. The regulations in
10 Subpart B provide a mechanism to have a request for
11 reconsideration, which is another name for an appeal. Plus a
12 request for special action or what that might be considered is
13 something happening out of cycle. And in the past there have
14 been a number of submissions of either requests for
15 reconsideration or special action that either were just
16 disagreements over the decision without basis in additional
17 information, or they were requests for special action that
18 really would fit more appropriately in the annual regulatory
19 cycle. By being a special action they sometimes avoided full
20 public scrutiny and less than complete Regional Council review,
21 which the Board does not believe is always in the best interest
22 of the subsistence user. And so what the Board has done is
23 examine this issue and has issued or is issuing a revised
24 policy. This policy does not change the regulation, but it
25 merely clarifies the situations under which the Board would
26 accept a request for reconsideration or a special action.

27
28 Also, it is not to preclude legitimate requests. And
29 by that we indicate that the Staff will be available to provide
30 technical assistance to members of the public, including the
31 Regional Councils should they desire to submit a request for
32 reconsideration or a special education. But what the new Board
33 policy or the clarification is, is that the request for
34 reconsideration of a regulatory change would be considered of a
35 decision made within the previous 60 days and that the request
36 for reconsideration must be based on information not previously
37 considered by the Board. In other words, new information, or
38 with a demonstration that the existing information that was
39 used is incorrect or that the Board's interpretation of the
40 information, law or regulation is in error. And it's the
41 responsibility of the requestor to provide the Board with that
42 information.

43
44 And on special actions the Board would only accept a
45 request for a temporary change in seasons or harvest limits,
46 only if there are extenuating circumstances that necessitate a
47 regulatory change before the next annual cycle. And in
48 conjunction with this it is the Board's policy to provide the
49 public with two weeks notice of meeting times and places of
50 meetings wherever possible, using public announcements in radio

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1 and local media and so on. Where the urgency of the matter
2 precludes the two week notice, notification procedures will be
3 adjusted to provide as much notice as possible. And notice of
4 consultation with the Alaska Department of Fish and Game and
5 the Regional Councils will occur on the same schedule, with as
6 much advance notice as possible and as much participation as
7 possible.

8
9 CHAIRMAN GOODWIN: I noticed that the closures and
10 special action there's some Subpart A, B, C, D. And would that
11 be the sequence if there is a closure? For instance, the Board
12 may take direction action on closure of the fishing of fish and
13 wildlife for non-subsistence uses before they take action on
14 subsistence uses.

15
16 MR. KNAUER: That is always the standard procedure even
17 in our annual regulations. But what this is, is saying that
18 the Board would not entertain a request for reconsideration
19 just on someone's feeling that they don't agree with the Board.
20 There has to be some basis there, either new information or
21 information that was misinterpreted or incorrect or something
22 like that. Because what was happening is the Board was
23 receiving up to 30 requests for reconsideration or special
24 action a year and that's taking away time from when the Board
25 can be, and the Councils, can be dealing with other issues that
26 are of greater concern to them.

27
28 CHAIRMAN GOODWIN: Is this another informational item
29 here?

30
31 MR. KNAUER: Yes, Mr. Chairman.

32
33 CHAIRMAN GOODWIN: Any questions? We're moving right
34 along to the consent agenda.

35
36 MR. KNAUER: Mr. Chairman, this is another information
37 item. In the past, especially at the May Board meeting when
38 the Board deliberates the proposals from all of the regions,
39 there are a number of proposals that usually come out where
40 everyone is in alignment. The Regional Council, the State the
41 public, the Staff Committee, everybody agrees on the outcome or
42 what the outcome should be. And in order to provide time for
43 extended discussion on other proposals where everyone may not
44 be in agreement, it was felt the most appropriate way would be
45 to handle those numerous ones where everyone's in agreement by
46 the use of a consent agenda. What would happen is a list of
47 the proposals on which there is agreement or consensus from all
48 parties would be the Board would identify the items on the
49 consent agenda at the beginning of the meeting or, excuse me,
50 prior to the meeting and then that would be circulated to the

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1 public and the Council so that everybody is aware of that.

2

3 And then at the beginning of the Board meeting the
4 consent agenda is adopted in one motion. And there would be,
5 however, during the meeting opportunities for any member of the
6 public coming in, if they wish to speak to any of those they
7 could do so, Council members or Council Chairs could speak to
8 any of them. If someone felt that an item on the consent
9 agenda needed more complete deliberation, they could request a
10 member of the Board have it remove from the consent agenda and
11 dealt with during the proposals that were handled for each
12 region, and then at the end of the Board meeting any items
13 still remaining on the consent agenda, the Board would take
14 action on all of them, probably with passage at that time. And
15 it's a way to allow more opportunity for discussion on items
16 where there is disagreement or concern.

17

18 CHAIRMAN GOODWIN: Any questions? Thank you. New
19 business, Item A, Regional Council nominations update. Barb.

20

21 MS. B. ARMSTRONG: We have two seats opened on this
22 Council for this year, seat four and seat five. Seat four is
23 Percy Ballot, Sr., and seat five Stanley Custer. And I mailed
24 out a poster and application to 57 people in the NANA region,
25 or the cooperation stores, everything, everyone of them and
26 also including the Council members. We were asked to do this.
27 We were told that we weren't getting the information out to the
28 people whenever nominations are up, so the coordinators really
29 worked hard in getting this information out to the people out
30 there, specific areas and their regions. So the nominations is
31 open till March 20th. If anybody want to give an application,
32 you may do so.

33

34 CHAIRMAN GOODWIN: Any questions? Thank you, Barb.
35 Agency reports. The first one on the list is US Fish and
36 Wildlife Service, Subsistence Management Office. Bill.

37

38 MR. KNAUER: The only thing that I'm aware of, and I'll
39 mention it and then check with Sandy to see if he can think of
40 anything. Many of you know Terry Edwards, she was responsible
41 for putting together much of the Board and Regional Council
42 materials that you have seen, left and took a position with our
43 Region One office in Hadley, Massachusetts, which is outside of
44 Boston. And we will miss her. And I think that's all I have
45 from the subsistence -- oh, yes. Thank you. One other change,
46 many of you know Mr. Rod Kuhn, who is a Forest Service liaison
47 to the program, he will be leaving in April and taking a
48 position with the Forest Service back in Washington, D.C.
49 That's all I have.

50

CHAIRMAN GOODWIN: Any questions? US Fish and Wildlife

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1 Service, Selawik Refuge. Leslie.

2

3 MS. KERR: I have some informational items that I'm
4 going to give you. Council members, ladies and gentlemen, my
5 name is Leslie Kerr, I'm the Refuge Manager of Selawik National
6 Wildlife Refuge and with me is our Refuge Biologist, Eugene
7 Peltola, Jr. We have just a very few things that we wanted to
8 update you on that are ongoing activities. These are
9 informational in nature. And if you have comments that you
10 would like to offer we are always happy to hear them. I just
11 gave Council members two papers, one is a single page that is a
12 very brief write-up about the seabird die offs that we saw last
13 summer. And, again, this is for your information. But
14 basically the conclusion, based on the information that we were
15 able to obtain statewide, is that this was related to warmer
16 water temperatures and starvation was caused in some birds by
17 their prey being unavailable. The warm surface waters caused
18 the prey species to seek deeper waters and therefore were
19 unavailable. There are some more details available if you are
20 particularly interested in this issue, but again, I just wanted
21 to provide it for your information.

22

23 The second thing I've provided to you is a paper that
24 we just finished writing up about a week ago on some surveys
25 that were done in the Cape Lisburne area last summer relating
26 to musk ox. You may recall that some issues came up about
27 whether or not there should be musk ox hunting in this area.
28 And we had an interest in this of course because there's a
29 substantial amount of land managed by the Alaska Maritime
30 Refuge in that area. And, of course, as the Manager of Selawik
31 Refuge, I don't manage Alaska Maritime Refuge, but since we're
32 sort of here and their headquarters is in Homer, we do try to
33 keep them up-to-date on issues as they're developing here.
34 Briefly, for your information, the area that was surveyed, they
35 only manage to survey I believe it was five out of eight survey
36 areas and all together counted a total of 98 musk ox in those
37 survey areas. And at the same time the National Park Service
38 was doing surveys on Park Service managed land in the region,
39 and they counted 45 big musk ox on their lands. And then
40 Alaska Maritime Staff was working in Cape Lisburne this summer
41 also counted 14 animals on the ground. So all of those counts
42 were conducted within the same time frame, giving us a total of
43 about 165 musk ox that are counted for. And we believe that's
44 about 65 percent of the total musk ox present in that region,
45 which would mean about 50 percent of the total musk ox in the
46 region are on Federal lands. So if the musk ox issue comes up
47 in the future, you know, that gives us at least a little bit of
48 a better idea about the distribution of whether the critters
49 were at least last summer. And if you have additional
50 questions you can ask Gene about that.

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1 The next item that we wanted to talk about is, Gene is
2 going to talk about some of the moose work that we're doing on
3 the refuge. We have several things planned this spring and he
4 wants to update you on those.

5
6 MR. PELTOLA: Gene Peltola, Wildlife Biologist, Selawik
7 Refuge, Kotzebue. And, Mr. Chair, Council members. There is a
8 couple of things related to moose and there are a couple of
9 other proposals that I'm going to talk about here in a little
10 bit. First off, is when we first started the tag moose
11 project, we deployed some collars in the Tag River. And before
12 we went forward with that project one thing we said is that due
13 to the personal bias, we don't agree with leaving collars on
14 animals for the remainder of their life. And so part of that
15 in keeping that promise, this spring we're going to have a
16 helicopter coming up and we're going to remove a lot of collars
17 off of animals on the Tag. The majority of those are bulls and
18 then also cows which were collared in '94 and should be coming
19 up on the operational life of the batteries. And we don't want
20 those to go dead and have animals stuck with a collar on and
21 not be able to relocate them. So that's the first one
22 concerning moose.

23
24 And as a tangent to that project, we've had a lot of
25 use on the Selawik River in the last few years, being similar
26 to the pressure they were receiving on the Tag four to five
27 years ago, and due to that increased use we have interest about
28 how the moose are doing on the Selawik River. And so this
29 spring we're going to be putting up to 20 collars on moose
30 along the Selawik River Drainage. And in addition to
31 collaring, we've tried to come up with a series of aerial
32 surveys to get an idea of the population status. And as Leslie
33 mentioned in the Noatak meeting, which I wasn't able to attend,
34 we did a survey of the Tag River area at this time last year,
35 the beginning of March more or less. And we had a thousand
36 square mile area that basically went from the Napakiak over
37 eastward to the Tag River, northward to the Selawik and Inland
38 Lakes and the moose in that thousand square mile area we
39 estimated there is a total of about 1,300 moose. So the moose
40 along the Tag River seem to be, at least biologically speaking,
41 strong in numbers. And we don't have that type of information
42 for the Selawik. And the last time a moose census was
43 conducted for the whole refuge was like in 1984 and '85. And
44 we haven't done a survey of the whole refuge because it's too
45 large of an area. So we've tried to break down the refuge into
46 river drainages and tried to sample those on a revolving
47 schedule.

48
49 We tried to do a moose survey of the Selawik River this
50 fall, but then the lack of snow cover we couldn't get out and

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1 do it. And so beginning here the first of March we're going to
2 try to do another spring census and that will give us at least
3 a population estimate. Whereas the fall would be nice because
4 we get bull to cow ratios and such. But at least we'll get a
5 population estimate for the Selawik. And as an ongoing part of
6 at least the tag moose project with the tag in the Selawik, as
7 we have a close working relationship with the Selawik High
8 School. And in the past have purchased at least one to two
9 collars and deployed those with students from the Selawik High
10 School. And we're going to do that again this spring. In
11 addition to the 20 collars we plan on putting out in Selawik I
12 ordered two collars for the students from Selawik. And in any
13 given year we take between nine and 12 students out there with
14 us when we deploy the collars. And that's what we're looking
15 at for moose work this spring. And there's three other
16 projects that we're proposing to work cooperatively with the
17 National Park Service on the refuge and Park Service lands and
18 we'll address those in more specific details when Brad Shultz
19 gets up here and gives his little summary from the Park
20 Service.

21
22 MS. KERR: Questions from any of the Council members?
23 Raymond.

24
25 MR. STONEY: Yeah. Leslie, I don't know if I should
26 ask you this question or not, but would you update us on musk
27 ox for Kivalina and the Point Hope area. They were in the
28 process about a year ago to legalize the actual hunt for musk
29 ox one way or another. How is that? Is it going to become
30 effective or no musk ox hunt at all?

31
32 MR. PELTOLA: As for the legal status of the hunt, I've
33 heard the discussions about a possibility of a State
34 registered, you know, a State hunt up there on State lands and
35 also heard talk of a hunt on Federal lands, but I'm not sure
36 exactly sure what direction that's taken at this time. There
37 is some State selected lands which were denied by the Federal
38 government up around Chariot and that area and so the land mass
39 of at least the Fish and Wildlife service lands up there
40 increased and so we had the interest and that's why we came up
41 with doing the surveys up there. But the actual status of a
42 proposed hunt I'm not aware of those. Maybe the Anchorage
43 office or the State individuals here could comment on that
44 further.

45
46 MS. DEWHURST: Nothing has been proposed. There's that
47 small section at Cape Lisburne. There's a little tiny piece of
48 the Alaska Maritime land that actually is in 26(A), it's like a
49 five mile by five mile piece and that is under the umbrella of
50 a proposal that's for incidental take of musk ox. It's going

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1 under the North Slope, this cycle. I'm not sure how it's going
2 to get voted on. Currently the Fish and Wildlife Service is
3 recommending that that little piece of land not be included in
4 that proposal because those musk ox really belong to this Cape
5 Thompson and Cape Lisburne group and should be included with
6 those animals, not be sectioned off. This is just because
7 there is a line on a the paper, that really they're all one big
8 group. So we're recommending to the North Slope Council not to
9 consider a hunt just for these 14 animals, and to consider the
10 14 as part of the bigger group. The State, and they can
11 clarify me if I'm wrong, the State did just recently grant c&t
12 on the State level for Unit 23. On the Federal side it had
13 already been granted. So the mechanism is in place in both the
14 State and the Federal side to design a hunt for Unit 23. What
15 we really all need to do is sit down and do some cooperative
16 planning before we just sit down and throw out the prospect of
17 a hunt since it is a mosaicable State and Federal land. So
18 that's kind of where we're at. Basically the ground work is in
19 place on both sides and if people really want one we need to
20 sit down and start thinking about it and planning and getting
21 together and doing some work towards that.

22
23 MR. STONEY: How was the activity last year like for
24 sporting, was there quite a bit of activity in that area in
25 Selawik.

26
27 MS. KERR: Yes. There was quite a bit of activity.
28 And, of course, as you're all aware, every since the Noatak
29 control use area was put into place, there's been sort of this
30 displacement of hunting. And of course it did hit the Squirrel
31 River and then it hit the Kobuk. And the use on the Tag River
32 has been increasing over the last few years. And then of
33 course this year we saw also some pretty dramatic increases on
34 the upper portions of the Selawik River. I can provide some
35 summary information on that to you. Basically Gene, you might
36 want to comment on this because I know you talked about it at
37 the Selawik IRA when you went out there. But there were a fair
38 number of hunters, but they didn't catch very much, lets just
39 put it that way.

40
41 MR. DELTOLA: On the Tag River itself this fall, we
42 had, Mark Koepsel, who is our Refuge law enforcement officer.
43 And also we hired an individual out in Selawik and we had a
44 camp up there where -- when they're talking to people coming
45 by. In addition, we were doing some flying over the Selawik
46 and also the Tag. And then we have people that are permitted,
47 you know, for operations on the Refuge and they have to give us
48 a report on how many people they take out and how many animals
49 they took. And on the Tag this fall, we're looking just like
50 just a little over 40 people. And that's just a handful more

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1 than we had in the year past. But if you look at the numbers,
2 from like '94 to this past fall hunting season, there's been,
3 you know, every year there's a slight increase. And where we
4 notice there's a large jump in numbers utilizing the river is
5 on the Selawik. And last year we had 24 to 25 people on the
6 river, it dropped off, if I remember my numbers correctly, and
7 this year that was up into the mid-40s range.

8
9 Mark did an analysis of it and it's really good and we
10 could provide a copy to you guys to look at and I've talked to
11 some of you about it before. But then if you break down the
12 season, especially this fall into like two halves, the first
13 half and the second half. And the first half, hunter success
14 only about 25 percent. And so it is, you know, that's when
15 it's warmer out and they weren't doing as good. And the second
16 half is when the success started, you know, skyrocketing. And
17 between the Tag and then the Selawik this year we're looking
18 about, you know, 50 to 60 -- 60 might be high, but in that
19 range for moose taken. And so on the Tag, where we have a
20 population estimate for an area just adjacent to it in the
21 Flats there. If all the 40 or 50 animals are taken off the
22 Tag, biologically speaking there isn't a problem. You know,
23 just low numbers comparatively. But then, you know, you look
24 at usage and potential conflicts and then that's where it
25 becomes a problem.

26
27 CHAIRMAN GOODWIN: Any other questions? Earl.

28
29 MR. KINGIK: Earl Kingik, Native Village of Point Hope.
30 On this examination of the shorewater birds, we all know that
31 the shorewater birds are -- you know, they died of starvation.
32 But murres, murres are a little bit different, you know. We
33 wanted to know why the murres still had fat on them and they
34 considered them starved, you know. Then when we examined Point
35 Hope, I got this paper from Todd O'Hara that did the
36 examinations, you know. And I was just wondering, how come the
37 murres died off even though they still got fat on them and they
38 still got food in their stomach.

39
40 MS. KERR: Well, that's a question that I can't answer
41 because I'm not a seabird biologist. There is a more extensive
42 report that was put together by our seabird program in
43 Anchorage based on the work that they did and I'd be happy to
44 get that for you and maybe that will help answer your question.

45
46 MR. KINGIK: Okay.

47
48 MR. ITO: Mr. Chairman, I'd like to speak on that
49 behalf of birds and I'd like to blow some holds in that -- the
50 U.S. Fish and Wildlife's studies here. Because in Japan --

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1 when we were in Japan I studied a lot of their marine
2 terrestrial animals over there and such. And where the cold
3 water met the warm water was the most amount of food, rather
4 than what the U.S. Fish and Wildlife is stating here that, oh,
5 the water's warming up so the food that's out there should grow
6 three to four times faster. We feel -- well, I guess I'm no
7 scientist, I think I don't have a Ph.d in anything but there is
8 something that I do understand a little bit about the ocean and
9 what they're doing out in the donut hole and overharvesting
10 everything out there and it seems like we're seeing a lot more
11 lesions on our animals. I believe the whales, we feel that
12 they're in trouble. And we feel that this murre die-off is a
13 first indication of starvation of the ocean. And I think at
14 this point in time I feel a little bit uncomfortable with the
15 Federal government or the U.S. Fish and Wildlife throwing a --
16 just throwing something out there and saying this is what we
17 think.

18
19 You know, I'd really like to see some data backing that
20 up. I know how scientists get together and then they'll study
21 something to death for 10 years and then everything else falls
22 out around it, except for what we were actually studying. And
23 then they can come up with the information that we need in 10
24 years, but everything else will be dead around it down in the
25 ocean.

26
27 Thank you, Mr. Chairman.

28
29 CHAIRMAN GOODWIN: Gordon. Any comments?

30
31 MS. KERR: Gordon, I'll be happy to get you whatever
32 additional information I can get from our Anchorage folks as
33 well.

34
35 MR. ITO: Thank you, Leslie. It'd be nice. I mean
36 it'd be nice to know what's going on in this ocean seeings that
37 you have the money and the technical expertise.

38
39 CHAIRMAN GOODWIN: Any other comments or questions to
40 Leslie or Gene? If not, thank you very much for your report.

41
42 MS. KERR: Thanks.

43
44 CHAIRMAN GOODWIN: The third item on the agency report,
45 Migratory Birds Implementation of Amendment Status Report, Mimi
46 Hogan.

47
48 MS. HOGAN: Thank you, Mr. Chairman, Council members.
49 I'm Mimi Hogan and I'm with -- can you hear me, Barb? Yes.
50 I'm with the Migratory Bird Staff in Anchorage. And I really

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1 appreciate being able to be on the agenda because I know you're
2 really busy. And migratory birds are not a part of Title VIII,
3 ANILCA, but this is a really important subsistence item and
4 we've asked to be on all the Advisory Council agendas so we
5 could let people know what's happened and what's going to
6 happen in the coming years about subsistence of migratory
7 birds.

8
9 And we finally had the amendments to the Migratory Bird
10 Treaty with Canada ratified by the Senate. And the treaty with
11 Canada, which was signed in 19 -- I don't have any -- I didn't
12 hand out anything but anyway, the treaty with Canada which was
13 signed in 1916 established Federal authority over migratory
14 birds. And one of the major forces for having this treaty was
15 to end market hunting in the Lower 48. And one of the items
16 that was a big part of the treaty was to ban all hunting
17 between March 10th and September 1 which worked okay in the
18 Lower 48. It gave people still an opportunity to hunt in the
19 fall, but of course, in Northern Canada and Alaska, it did not
20 reflect what was actually happening, that people were taking
21 birds in the spring and that they were very important to people
22 in the north.

23
24 Nothing really happened when Alaska was a territory.
25 There's nothing in the historical record of why Alaska was
26 ignored and why the spring ban was in effect for Alaska. But
27 once Alaska became a state, there was a push to use the same
28 laws that went in the Lower 48. And one of the results of this
29 was the Barrow Duck-In, which was sort of a wake up call, I
30 think for a lot of people. And Senator Gruening, at the time
31 said, well, we'll amend the Migratory Bird Treaty, we'll
32 change this. And the Fish and Wildlife Service said, yes, that
33 they would support this change. Well, that was 50 years ago.
34 And it's taken 50 years to finally get amendments to that
35 treaty so that we can allow spring hunting for subsistence.

36
37 The latest attempt to amend the treaty started in 1990
38 and there were several meetings with Canada on the negotiating
39 team. For the first time there were three Native
40 representatives and those were Myron Naneng and Charlie Brower
41 and Jonathan Solomon. And they, along with Fish and Wildlife
42 Service, and the State department and the State of Alaska were
43 all on this negotiating team which came up with the language
44 for the amendments. And amendments were signed between Canada
45 and the U.S. in December of 1995 and it was only in October
46 that the Senate finally ratified them and we're actually still
47 awaiting for the White House to sign them and then they'll be
48 finalized.

49
50 But we're going ahead with the process because the

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1 ratification of the protocols does not automatically make
2 spring harvest of migratory birds legal. What it does is it
3 says that the Fish and Wildlife Service now has the authority
4 to open that season with regulations. And until there are
5 regulations, it's still not legally open. And so that's where
6 we're at right now. We have to start the regulation phase.
7 And until there are regulations that open the spring harvest,
8 the closed season policy will still be in effect and the closed
9 season, I think, you're all familiar with and it essentially is
10 a discretionally law enforcement policy that protects that two
11 species of eiders that are threatened, the spectacled and the
12 threatened eider (ph) and four species of geese.

13
14 It's going to take a while to get regulations on the
15 books. Because the first thing that the protocols mandate is
16 that there are going to be management bodies that make the
17 recommendations for regulations. And these management bodies
18 will be made up of Alaska Natives, the State and the Fish and
19 Wildlife Service. And the management bodies then will make
20 recommendations to the Fly-away Councils and to the service
21 regulations committee. And this is a process that's already in
22 place for waterfowl management in the United States. The other
23 states are all part of at least one of the four Fly-away
24 Councils. They meet twice a year. They make recommendations
25 to the Fish and Wildlife Service. Spring subsistence harvest
26 will now actually be a part of that system. Migratory birds
27 won't be a part of Title VIII, ANILCA.

28
29 Once we have management bodies in place -- let me back
30 up there. Management bodies were -- they're saying, will
31 probably take about two years to get into place because we have
32 to go through the same process that we went through to setup
33 the Regional Advisory Councils. We'll have to go out, find out
34 what sort of -- what's going to work. There may be several --
35 there may be three regional management bodies, there could be
36 10. We're going to go out and talk to people and find out
37 what's going to work and then, again, we'll write an
38 environmental assessment with the choices. Go out do public
39 meetings. And then once management bodies are in place, these
40 management bodies will meet and make the recommendations for
41 regulations. And again, they'll in some ways be tied into the
42 Fly-away system.

43
44 One of the really important parts of waterfowl
45 management will be the need for good harvest information. So
46 in the coming years, we'll be -- there will be a lot more
47 effort put into trying to get harvest information so that that
48 information can be presented to the management bodies when they
49 make their decisions. Also at that time, population
50 information on the different birds would be presented to the

00068

1 management bodies.

2
3 Two points, the treaty language and the negotiating
4 report did give us some guidelines that are important that
5 people know. And these elements are, who is eligible? And
6 eligibility is established for indigenous inhabitants of
7 Alaska. And the original definition of indigenous inhabitants
8 that the negotiators came up with was Alaska Natives who are
9 permanent residents of villages within designated areas where
10 subsistence hunting of migratory birds is customary and
11 traditional. The term also includes permanent resident, non-
12 Natives of these villages who have legitimate subsistence
13 hunting needs. And that was the language that the negotiating
14 teams in Canada and the U.S. signed off on. However, when the
15 Senate went to ratify the treaties they changed the language
16 and they put in an understanding and the understanding says,
17 the United States understands that the term indigenous
18 inhabitant means a permanent resident of a village within a
19 subsistence harvest area regardless of race. So the definition
20 at the last minute was changed. And that is a binding
21 definition.

22
23 Also, what are the subsistence harvest areas?
24 Subsistence harvest areas are established and this is in the
25 negotiating report, are established to include most village
26 areas within the Alaska Peninsula, Kodiak Archipelago, the
27 Aleutian Islands, areas north and west of the Alaska range.
28 Areas that would generally not qualify, include the Anchorage,
29 Matanuska/Susitna and Fairbanks Northstar Boroughs, the Kenai
30 Peninsula roaded areas, the Gulf of Alaska roaded area and
31 Southeast Alaska. So these subsistence areas are different
32 than what we're working with under Title VIII, ANILCA.

33
34 And there is also language in the report that allows
35 for some exceptions. And it says that exceptions to these
36 areas can be made through a deliberative process and it doesn't
37 say exactly what that is but it would include the management
38 bodies. So there may be communities within these excluded
39 areas that would petition the management bodies for exceptions
40 and exceptions could be made for those communities. Again, I
41 can't tell you what the management bodies will look like, how
42 many, because that's the process we're moving into. The
43 RuralCap created the Native Migratory Bird Working Group to
44 work on this issue for the last five years and they're putting
45 together a workshop next month to talk about management bodies,
46 what would work and they've requested that the Fish and
47 Wildlife Service also do regional workshops so that people can
48 talk about how management bodies might work. So I suggest that
49 you'll probably be seeing more of me and you'll be hearing a
50 lot more about this in the coming year.

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1 And I'll put my cards out on the table there if anyone
2 needs to get in touch with me you can call me. I'll be working
3 on this issue for the next couple years. And if you have any
4 questions I'll be glad to take them.

5
6 CHAIRMAN GOODWIN: Bert.

7
8 MR. GRIEST: You mentioned that the closed season
9 policy will be in effect, is that effective for our area?

10
11 MS. HOGAN: Right. It's effective statewide.

12
13 MR. GRIEST: Okay. But we still can hunt this spring?

14
15 MS. HOGAN: There'll still be enforcement on the
16 species of concern.

17
18 MR. GRIEST: Okay. Just on the species of concern.

19
20 CHAIRMAN GOODWIN: Brandts and eiders?

21
22 MR. GRIEST: Eiders and.....

23
24 MS. HOGAN: The eiders.....

25
26 CHAIRMAN GOODWIN: Eiders and eiders.

27
28 MS. HOGAN: The spectacled eiders, the stellars eider.

29
30 UNIDENTIFIED VOICE: Swans?

31
32 MS. HOGAN: Not swans. Brandt. Emperor geese. White
33 fronted geese on the Y-K Delta and cackling Canada geese. And
34 there should be -- there'll be brochures coming out the 1st of
35 April on the closed season policy and Leslie will have those at
36 the Refuge office if you have any questions on the closed
37 season policy. They're not printed yet or I would have brought
38 them with me but Leslie will have them.

39
40 MR. STONEY: Mr. Chairman.

41
42 CHAIRMAN GOODWIN: Raymond.

43
44 MR. STONEY: Thank you, Mr. Chairman. Would you bring
45 us up to date like with -- now, learning that this -- we're not
46 supposed to use lead shots anymore except for lead. Now, if
47 somebody gets caught using lead, what is the penalty on them?
48 I mean what does he get if he gets caught using the lead
49 pellets in his shotguns?

50

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1 MS. HOGAN: I don't know what the penalty is. I do
2 know that this spring that we will be enforcing steel shot.
3 Leslie, do you know?

4
5 MS. KERR: Mark is our law enforcement officer.

6
7 CHAIRMAN GOODWIN: Can you get to a microphone Mark.

8
9 MR. STONEY: The reason why I ask this question is
10 because this question has been asked from about every village
11 -- they ask me if I get caught using lead pellets, what is my
12 penalty, how much penalty would I get? That's what they ask
13 me, that question, so I told them I'd get the information and
14 forward it to them, you know, I'd get it very clearly, like
15 what is the penalty?

16
17 MR. KOEPESEL: Mark Koepsel, Selawik Refuge. I haven't
18 heard a determination exactly what they'll write it as, whether
19 it will be written as hunting out of season or writing it like
20 you're in season, illegal use of lead shot, and that will
21 effect on how much it will cost. But it will be anywhere from
22 \$100 to \$250.

23
24 MR. STONEY: First offense?

25
26 MR. KOEPESEL: For a ticket, yes.

27
28 MR. STONEY: How about the second?

29
30 MR. KOEPESEL: They're the same.

31
32 MR. STONEY: Okay.

33
34 CHAIRMAN GOODWIN: So if you're going to hunt with lead
35 shot, take money.

36
37 MR. KOEPESEL: What happens is you'll get a notice sent
38 to you in which you'll have the choice of either appearing in
39 court or paying the fine as it's stipulated and it will be your
40 choice whether you want to take it to court or just send the
41 check where they tell you to.

42
43 CHAIRMAN GOODWIN: Would they at that time add the
44 additional -- say if the guy got caught in spring time, you
45 know, out of season; what's going to happen? They charge him
46 with the other stuff, too, or just the lead shot?

47
48 MS. KERR: Apparently not.

49
50 MR. KOEPESEL: Apparently we would just write -- I

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1 haven't heard an official policy on how to do it. But
2 generally you'd only write one offense even though it's out of
3 season. There isn't the use of lead shot out of season, so
4 there's different ways to look at it. But generally when
5 there's an offense like that, you only write one. You wouldn't
6 write multiple.

7
8 CHAIRMAN GOODWIN: Percy, you got a question?

9
10 MR. BALLOT: Yeah. You mentioned the white fronts, is
11 that just for the Kuskokwim or is that in our area, too?

12
13 MS. KERR: No, it's just for the Yukon Kuskokwim Delta.

14
15 CHAIRMAN GOODWIN: Anybody got any other questions to
16 Mark on the lead shot, steel shot? Earl.

17
18 MR. KINGIK: Yeah. Law enforcement. Yeah, on this
19 closed season, how are you going to approach our people that
20 it's closed and the enforcement officer's coming to town, you
21 know? What kind of program you got on that enforcement on the
22 close of seasons? Is it going to be the burden of the
23 community or -- you know, if it's closed season, like we always
24 said, there's people from Massachusetts and game wardens are
25 coming up, you know?

26
27 MR. KOEPESEL: That's generally handled by special
28 agents. And they go where they pretty much will and I don't
29 have any knowledge on where they're going to be or what area
30 they're going to work. And whereas it's true that they could
31 be from anywhere in the country, generally in this issue, we
32 keep it down to people that are from Alaska that are no --
33 because this is unique to Alaska, it's not something that
34 comes out in the Lower 48. So agents coming from Massachusetts
35 don't know the rules or the policy. So generally you only see
36 special agents enforcing this that are from Alaska and are
37 familiar with it.

38
39 CHAIRMAN GOODWIN: Any other questions? Bert.

40
41 MR. GRIEST: So most of the birds are then -- will be
42 open for hunting between March and September?

43
44 MS. KERR: Right.

45
46 MR. GRIEST: Except for just a few?

47
48 MS. KERR: Once there are regulations.

49
50 MR. GRIEST: Okay. And once the regulations are set

00072

1 in, then we don't have to worry about treaties with Russia,
2 Japan?

3
4 MS. KERR: No.

5
6 MR. GRIEST: Those already have language authorizing?

7
8 MS. KERR: That's correct.

9
10 MR. GRIEST: Okay.

11
12 MS. KERR: And the treaty with Mexico which had a
13 problem with ducks has been amended, too. So all the treaties
14 are lined up and there won't be a problem.

15
16 CHAIRMAN GOODWIN: Thank you, Mark. Any other
17 questions? Gordon.

18
19 MR. ITO: One question for Mark before he runs off.
20 Since he's our 007 agent over here, he doesn't quite know how
21 they're going to go about arresting people or citing them or --
22 I don't know, I'm a little unclear myself exactly how this is
23 coming about when -- the spring hunt is an illegal hunt,
24 period. On the books it states it's illegal to kill migratory
25 birds in the spring when they're migrating. Now, he's coming
26 over and imposing a law on me saying I can't use lead shot when
27 in all actuality go down to the AC store and walk in there and
28 see how much lead shot they got versus their steel shot. Now,
29 when they're making something illegal for me and this is my
30 only thing I can get from the store, let's say the lead shot
31 and he's telling me it's illegal to use lead shot and it's also
32 illegal to kill the birds, but then in all actuality, I'm only
33 going to cite you for one thing or the other; who make s that
34 determination on what they're going to cite me for? When you
35 break the law, you break the law. The Federal government
36 doesn't say, well, you just sort of break the law or maybe you
37 break the law, you broke the law by killing a bird. Now, what
38 the bird dies by, whether it's lead shot or steel shot, the
39 bird don't care, the bird is dead. The bird isn't going to
40 have no complaints here. But it seems to me somebody from
41 Massachusetts, 007 over here says, well, you can't use lead
42 shot because that bird -- this is the law. Well, we can't
43 hunt, period, migratory. Now, Mark might as well come out with
44 me when the birds start flying and arrest me and use me as an
45 example because I have lead shot and that's all I got. And
46 when it gets to the point of -- he'll figure out how and what
47 they're going to charge me with and if I have \$250 or not isn't
48 going to be the issue and then they can cite me and figure out
49 the second offense on top of that. This is a real shady area
50 that we're playing with here.

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1 We're going mode of transportation. He says it's okay
2 to go kill birds but you can't use your airplane. He says, oh,
3 it's okay to go kill birds but you can't use lead shot. In all
4 actuality he's saying one thing but the court -- when it goes
5 to the law books it reads the law as it's stated in the book.
6 And until it goes to court and they figure out what
7 justification by 12 peers of the people that are going to judge
8 you on that jury, whether you're guilty or not, I think I just
9 want it to be a little more clear from Mark over here how
10 they're going to go about that. Because I'm really unclear, am
11 I getting arrested for buying my lead shot at AC and killing
12 that bird with it or is that bird going to file charges against
13 me for using lead shot instead of steel shot.

14
15 Thank you, Mr. Chairman.

16
17 MR. KOEPESEL: One, you won't get arrested, this will be
18 like a speeding ticket. They don't haul you in jail in
19 handcuffs and put you away for a violation. You'll get a piece
20 of paper telling you to pay a fine or to contest it in court,
21 that will be your choice. You will not be arrested. One, the
22 policy that decides what's going to be enforced as to modes of
23 transportation and whatnot comes out in that letter and it's
24 set by the Fish and Wildlife Service, considerably above my
25 head. I don't have any say. And I, as a law enforcement
26 officer and other law enforcement officers will enforce the
27 policy, what it tells us to. And it hasn't been printed as yet
28 this year, so I mean I haven't read it. But we were told that
29 lead shot would be -- one of those things that would be
30 enforced in this spring season.

31
32 CHAIRMAN GOODWIN: Any other questions or comments.

33
34 MS. KERR: Mr. Chairman, this is Leslie Kerr, Selawik
35 Refuge. I just wanted to mention to Gordon that as of last
36 fall, at least, steel shot was available at both Hansons and
37 AC.

38
39 MR. KOEPESEL: And lead shot is still legal to be used
40 on other game, like ptarmigan, that's why it's still available
41 on sale at the stores. And the rest of the country has been
42 required to use steel shot since 1991, I believe.

43
44 MR. ITO: Mr. Koepsel and Ms. Kerr -- or Mrs. Kerr, I
45 got four cases of lead shot sitting at home that were bought on
46 sale. Now, my amount of income -- my allowance and for my
47 income monthly or yearly doesn't come near to what both of you
48 make. Now, I would really appreciate it if you would buy me
49 some steel shot and I'll trade you my steel shot for your lead
50 shot -- or excuse me, my lead shot for your steel shot. When

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1 you go to AC and pay the double price of the steel shot and
2 then I'll go out hunting legally with steel shot with my
3 airplane -- no, I'm sorry, no, now you're really confusing me.
4 Because you told me you were just going to send me a ticket
5 when you see me killing geese or birds with lead shot with my
6 airplane; is that what I heard?

7
8 CHAIRMAN GOODWIN: Yeah. You got to say, oops, I
9 missed the ptarmigan.

10
11 MR. ITO: So he's not going to arrest me or take my
12 airplane when he finds me hunting geese.....

13
14 CHAIRMAN GOODWIN: No with a ptarmigan in your hand.

15
16 MR. ITO: All right. I just wanted to get that clear,
17 thank you.

18
19 MR. KOEPESEL: That was why there's been such a long
20 phasing period in this, for the law being passed in 1991,
21 enforcement not occurring until 1998. It was for people to use
22 up their lead stocks and to be educated on the differences
23 between the two. There was also a steel shot clinic here last
24 year to show the people the differences in how the two are
25 ballistically. There was an expert brought in and he gave a
26 clinic that several people in town attended to show how to
27 shoot steel shot because it's a little different than lead.

28
29 CHAIRMAN GOODWIN: So if I go out there with lead shot
30 and shot some ptarmigan and get some incidental take on ducks
31 and geese, it's okay?

32
33 MR. KOEPESEL: If you can explain how you accidentally
34 got the ducks, I guess.

35
36 MR. STONEY: Hey, Mark, is there going to be another
37 class about how to use lead shot? Is there going to be a class
38 -- I'd like to attend that.

39
40 MR. KOEPESEL: We would like to bring that guy back and
41 actually try to get him to some of the villages.

42
43 MR. STONEY: Yes.

44
45 MR. KOEPESEL: And there were some Fish and Wildlife
46 Service people who were trained to -- or taught how to give the
47 clinic, unfortunately I wasn't one of them. I was tied up in
48 something else at the time.

49
50 MR. STONEY: Um-hum.

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1 MR. KOEPESEL: But nothing has been set right now to do
2 it. We're trying to explore getting money to do that and we'd
3 really like to take it out to the villages. As it was this
4 past year, they were able to hit the major centers like Bethel
5 and Kotzebue and Barrow. And now we're exploring ways to get
6 it out to the villages but that hasn't occurred yet.

7
8 MR. STONEY: I don't know how it's going to work out,
9 like these prices out in the villages, I think it's \$32 a box
10 for steel shot. That's pretty expensive stuff, it's like firing
11 a box of gold if you miss.

12
13 MR. KOEPESEL: Yeah. That was -- when it first came out
14 back in 1991, that was a serious problem everywhere, but now
15 it's come up -- in the Lower 48 the prices have gotten to where
16 steel is about 15 percent higher than lead. But they're fairly
17 close. Why it gets so much higher up here, I don't know. But
18 it was before because they just didn't manufacture that much.
19 Well, now, since most of the country is required to use it,
20 there's enough of a demand for it that they're manufacturing
21 quite a bit so that has lowered the price.

22
23 MR. STONEY: Why are we required to use lead in
24 ptarmigans, why? It's the same, a bird.

25
26 MR. KOEPESEL: The concern is waterfowl in wetland areas
27 are feeding and they're picking up the lead shot and that's
28 poisoning and that's killing them. Whereas, if you shoot lead
29 up on dry land, the birds don't -- the waterfowl don't feed
30 there and pick it up. It's where it sits in the bottom of
31 shallow water that the waterfowl are feeding and they pick it
32 up and it goes into their gizzard and they grind it up and then
33 the lead goes into their blood stream and it kills them. So
34 you want to get it out of shallow wet bodies of water. And
35 that's what -- the reason why the law was passed.

36
37 CHAIRMAN GOODWIN: Any other comments. Elmer.

38
39 MR. GOODWIN: My name is Elmer Goodwin. Coming from
40 the elders side, I think we need more education pamphlets. And
41 I think our Native people that live by -- through culture and
42 subsistence, I think that they need some kind of education to
43 this. Because they don't, you know, we don't look that far
44 into how to get our birds or whatever to go -- I think we need
45 more education. Thank you.

46
47 CHAIRMAN GOODWIN: Percy.

48
49 MR. BALLOT: You're saying there's a different way you
50 need to shoot steel shot then when you shoot the lead shot or

00076

1 something?

2

3 MR. KOEPESEL: There's a little bit different in the
4 ballistics on how it comes out of the gun and flies. So the
5 people that are experts at shooting lead shot, some of them are
6 having difficulty hitting the birds when they switch to steel
7 and so that's why we kind of had this work shop. And the
8 expert explained the differences on how it goes out and then
9 they had an actual -- we had clay targets where they were
10 shooting targets to show people.

11

12 MR. BALLOT: That's why we're having birds wounded out
13 in the field?

14

15 MR. KOEPESEL: Leslie was fortunate enough to take the
16 class, she can explain.

17

18 MS. KERR: Well, I don't know as I'd go that far. But
19 yeah it was an excellent workshop. We do have videos prepared
20 by that same guy who taught the workshop and we could make a
21 set available, on loan, and maybe get it broadcast like maybe
22 on the scanner channel or something like that. If you have --
23 if your community has scanner channel and would be willing to
24 do that we have the tapes and we could certainly loan them to
25 you for that purpose. Or people could just, you know, come in
26 and watch them sometime. But it was pretty interesting and of
27 course, why we would really like an additional series of these
28 workshops is then you don't have to pay for all the steel shot
29 that you're shooting while you figure out how to do it. And it
30 was pretty neat to have that opportunity with somebody who's
31 that good and could tell you what you were doing wrong. And it
32 was pretty neat. I mean I've never been a hunter and I figured
33 that I better go through it and see. So I decided I better get
34 myself an appropriate barrel on my shotgun and so now I can go
35 out hunting too.

36

37 CHAIRMAN GOODWIN: In season, of course?

38

39 MS. KERR: Absolutely.

40

41 CHAIRMAN GOODWIN: Any other comments?

42

43 MR. CUSTER: Take a break.

44

45 CHAIRMAN GOODWIN: Yeah, we'll take a break. But I
46 remember when we first were discussing this about 15 years ago,
47 one of the elders said, you know, I don't know what all the
48 fuss is about, these ducks and geese are our geese, they're
49 born and raised up here. You guys only hunt them when they're
50 on vacation.

00077

1 So let's take 10 minutes.

2
3 (Off record)

4
5 (On record)

6
7 CHAIRMAN GOODWIN: I think we shot ourselves enough
8 with the migratory birds, let's get on with the National Park
9 Service.

10
11 MR. SHULTZ: Okay, I'll be incredibly brief. Brad
12 Shultz, National Park Service. Last fall I told you we'd
13 conducted a moose survey in the Kobuk Valley between Kiana and
14 Ambler and we were lucky enough to get the weather to do that,
15 that's in the Salmon River area, on both sides of the river.
16 And we did it in 1995, we did in October, the results are very
17 similar in terms of the numbers in moose, there's virtually no
18 change, you know, detected there. The bull/cow ratio is a
19 little bit different -- in '95 it was 78 bulls per 100 cows,
20 this year it was 60 bulls per 100 cows. And that's more
21 attributable to the fact that we sampled more units and got a
22 better number, more so than an actual decline. So I'll tell
23 you that that's what's going on there.

24
25 The calf/cow ratio declined also to 23 calves per 100
26 cows as opposed 56 in '95. You know, that could be a real
27 change, but calf/cow ratios change every year. There wasn't
28 anything that would really -- in terms of winter conditions or
29 conditions of cows that would make you think that that was a
30 real decline there from the previous year. I think it's a
31 sampling problem again, mathematical problem. Because we did
32 sample almost 50 percent of the units so we did almost 500
33 square miles as opposed to about 200 in 1995. And so we got a
34 little bit better numbers. So basically the same thing's going
35 on there. And the reason we're doing the Kobuk is as a
36 comparison to the more heavily harvested Noatak and changes in
37 bull/cow ratios.

38
39 I'd also like to thank Victor, Victor helped on that
40 survey for a couple of days because we were shorthanded. Any
41 questions on that? And then we are going to finish the summary
42 report by May, so I'll send that to you. That's what we talked
43 about, you recall, to the IRA's, they also wanted that
44 information.

45
46 CHAIRMAN GOODWIN: When is our next survey now?

47
48 MR. SHULTZ: We won't do the Kobuk again for two years,
49 at least, and I'm thinking about moving to an every three year
50 schedule on the Kobuk. We've been real lucky with the weather,

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1 being able to do it in the fall; we had a real nice fall.

2

3 The next survey -- there were no abundance estimates
4 done in the Noatak this year. Fish and Game was trying to get
5 the Squirrel River done and we were concentrating on the Kobuk
6 Valley. There's -- we're basically scheduled to do an
7 abundance estimate in the Noatak this year, and I suspect we
8 will. So that's the next one there.

9

10 And then Gene's got, like he said, Selawik this spring
11 if weather and all that cooperates also. So every two years in
12 the Kobuk and about every three years in the Noatak. Two or
13 three years and it depends on the weather. We're trying to do
14 them as often as we can though. And what we think we can do
15 is, in these surveys, is detect about a 25 percent change in
16 the population between surveys which is pretty good. When you
17 get anymore changes, larger changes than that you usually see
18 it on the ground in the spring anyway.

19

20 The second item was I just wanted to update you on the
21 Noatak. Like I said, we didn't do any abundance surveys. We
22 got one planned for the fall, I'm sure that will happen if the
23 weather cooperates. We tried to do a fall survey in the
24 Nimiucktuk (ph) this fall, but there wasn't much snow, for one,
25 and the moose were pretty spread out in distribution because
26 they just weren't pushed down in the river so we just basically
27 bagged that -- the fall, we tried to do it right after the
28 Kobuk and we decided it wasn't worth the effort.

29

30 This spring I'm going to implement -- I have a research
31 associate from the University in Fairbanks, he's going to come
32 over and he's done a lot of browse work, willow work all over
33 the state, especially in the Koyukuk. He's done some up on the
34 Colville. And what we're going to look at is basically willow
35 availability, food availability and we're going to look at the
36 nutritional quality of the willows. Moose are sort of a new --
37 historically are a new inhabitant out in this country and
38 they've been exploiting some pretty good food and we'd like to
39 get some ideas on how good it is. If it's still good and some
40 of the recent declines in moose are related to food. So we're
41 going to try to sample in the Noatak, the Kobuk, the Selawik
42 and the Tag drainages and that will happen in April. He'll
43 basically be clipping browse and taking it back to a lab and
44 burning it up to see how much nitrogen and those sorts of
45 nutrients are in there. So we hope to do that this spring.

46

47 The second thing that we're trying to implement is -- I
48 mentioned this last fall in Noatak. Walter had asked how much
49 work we were doing in the schools and I mentioned that we were
50 trying to get a satellite telemetry project, specifically for

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1 educational purposes going on moose. We hope to implement that
2 project this spring and we purchased two satellite collars that
3 we'll put on a cow moose in the Noatak and one in the Selawik.
4 We're going to work with the Noatak and Selawik schools for
5 starters. We can certainly expand to other schools and I'm
6 sure we will. We'll have data, those collars will last for 500
7 days in terms of transmitting to the satellites and we're going
8 to integrate that into a school curricula. And we suspect
9 we'll have information ready to go in the fall for when the
10 kids come back to school. And in the mean time we're working
11 with the science teachers in both those places to get a
12 curricula together to implement, not only biology, which will
13 be somewhat interesting, but also physical sciences and space
14 science and satellite technology and the whole nine yards,
15 which we're somewhat interested in. And that's been done all
16 over the world and so we're drawing heavily on that. That's
17 all I wanted to say about that.

18
19 And the last item, you have in front of you, the
20 Wolverine Project Proposal, it's a study of population,
21 demography of wolverines in the Kobuk Valley in the Selawik
22 Refuge. That proposal's in the process of being peer reviewed
23 by other scientists. I know about half of you got it prior to
24 the meeting and the other half that didn't was Mr. Stoney and
25 Mr. Custer and Ricky Ashbee didn't get it, and I apologize
26 because that was my fault that you didn't get it before the
27 meeting. You have it before you and the reason you have it is
28 so you can review it. We would like any kind of
29 recommendations, concerns. We haven't implemented the project
30 except to purchase carcasses over the past two years. We just
31 necropsied those carcasses this fall, I think we had 70, I
32 believe. We were taking sex and age, structure of the harvest.
33 We've also got a bunch of reproduction information. The age
34 stuff will be back in April and we'll have that. We also had
35 four science classes come in from Kotzebue High and middle
36 schools. We had about 50 students over the two days and they
37 necropsied a third of those carcasses and got the samples for
38 us, trying to get them involved a little bit. But basically
39 we'd like to hear what you've got to say on that. You can talk
40 to either myself or Gene. We're willing to come -- Gene made a
41 visit to the Selawik, to the IRA meeting, we're willing to do
42 that in other affected villages or whatever for that kind of
43 information. We hope to implement the project this spring and
44 barring any major discontent with that. So we'd like to hear
45 what you got to say and we're available anytime for that. We
46 think it's a good project. We think we can get a lot of
47 information. There's very little information on wolverine
48 demography, certainly in this area. The last study was done on
49 the North Slope in 1978.

50

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1 CHAIRMAN GOODWIN: Questions. Raymond.

2

3 MR. STONEY: Mr. Chairman, well, I'm probably going to
4 -- I don't know how to put this up like in Kiana, right now,
5 even yesterday, there's about 30 moose in about a half mile
6 radius in Kiana area. In fact, there's six moose right in town
7 and so far I seen one dog already been killed by one moose.
8 And they're right out your door. And a lot of guys are getting
9 pretty tired of them and they don't want to shoot them, and
10 what are we going to do? We can't even walk to the post
11 office, can't go nowhere? It's getting pretty -- very sort of
12 -- especially the school. They've been right in the school
13 area, right on the playground.

14

15 MR. SCHULTZ: Yeah, in terms of the Park Service having
16 any real jurisdiction in doing something about that, I'd say
17 that it hasn't been within our realm of responsibility to deal
18 with those sorts of wildlife/people conflicts. And the
19 Department -- and Jim can elaborate on it. The Department has
20 a longstanding interest in dealing with those problems and
21 they're certainly involved in doing that in Anchorage. I don't
22 have any specific recommendations for you.

23

24 MR. STONEY: Okay.

25

26 MR. SCHULTZ: I think there are people that we can put
27 you in contact with that do deal with moose/people conflicts
28 all the time in urban settings. And you know, we can sure work
29 on that.

30

31 CHAIRMAN GOODWIN: Bert.

32

33 MR. GRIEST: What's your overall sense of moose
34 population for this region?

35

36 MR. SHULTZ: I think specif -- I've been saying it
37 again and again, you know, the Noatak is certainly on a slow
38 slide down. You know, how far down it's going to slide, I
39 don't know. But I think what's driving it is basically high
40 numbers of predators and some tough winters that got them in
41 the hole and now they can't get out of it. And they're not
42 very productive. You know, if you see 20 calves per 100 cows
43 in the fall and you got 50 percent survival through the winter
44 and you're kicking out 10 calves per 100 cows or maybe 60
45 calves total in that thousand square mile area, that's not too
46 good. And so productivity is not keeping up with mortality and
47 there's not much we can do about that.

48

49 MR. GRIEST: Is it basically then predator or is it
50 hunting by sport hunters?

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1 MR. SHULTZ: It's probably a combination of things. I
2 mean what we see, the hunting side of it, what we're seeing is
3 certainly a numerical decrease in the numbers of moose up
4 there. Every fall it's attributed to hunting and they're
5 removing a segment of the bull population and it's mainly large
6 bulls and that's because of the regulations there. But if you
7 were to take away and close hunting next fall up there, that's
8 not going to turnaround the decline in that population. It's
9 going to certainly give you a numerical increase in the fall
10 but a lot of those larger bulls are susceptible to mortality
11 over the winter. What really needs to happen is we need to
12 protect the cow segment as much as we can in terms of hunting,
13 you know, not harvest cows, which we've made restrictions in
14 the fall. Cow -- you know, it's basically pushed back to
15 November on the cow season to protect cows. But we're not
16 going to turnaround that decline given that the Park Service
17 doesn't do predator control. And so the only thing that's
18 going to keep predators at lower numbers is basic trapping and
19 hunting. So there's large packs of wolves running in that
20 country, I think everybody knows it. That's what's had a major
21 effect on both sheep and moose. And once they get them on the
22 slow slide down, you know, most of the information that's been
23 available over the last 20 years shows that they knock them
24 down to a low point and it takes them a long time to come out
25 of that hole. And I think that also habitat might be related
26 to that in terms of nutritional quality and that's kind of why
27 we're going to look at that. But we've had a couple of real
28 mild winters and that's going to be in their favor. And
29 certainly this winter is stacking up to be a pretty mild one,
30 too, so that will only help.

31
32 I did productivity surveys -- of our collared cows last
33 spring and about 18 percent of those cows had twins, which
34 isn't bad and almost half of them had calves when I looked at
35 them. And that was, you know, pretty close to when they were
36 dropping their calves. I don't know how many of them really
37 dropped calves because they're usually killed pretty early on.
38 But, you know, in terms of productivity, at the start, they're
39 having calves, it appears. What they're not doing is
40 recruiting them into the population which are suffering early
41 mortality from bears or later mortality from both bears and
42 wolves.

43
44 CHAIRMAN GOODWIN: Anymore questions. Earl.

45
46 MR. KINGIK: Right. Earl Kingik, Native Village of
47 Point Hope. I questioned her on the Haul Road, you know, from
48 Murtock to Port site, you know, we're curious because we fly
49 back and forth through there. And we noticed that the summer
50 time, the roads on the side is dead, you know, plantations, and

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1 it looks like it's kind of dying or something; do you guys
2 monitor, because they're hauling raw material down through the
3 area?

4
5 MR. SHULTZ: We haven't done any active monitoring of
6 basically dusting on the side of the road, whether it be from
7 the ore flying off the truck or dust coming off the road. They
8 do treat the road with, I think it's calcium chloride, which
9 aggregates the muck to cut down on the dusting on the side of
10 the road but you can see it in the spring that there's
11 certainly still dust on the side of the road that causes the
12 snow to melt a lot faster. We haven't been doing any active
13 monitoring in terms of vegetation or for that matter for
14 caribou movements either. And I think Jim could probably
15 address some of that because they have done certainly more with
16 caribou than we are doing or plan to do.

17
18 CHAIRMAN GOODWIN: Any other questions. Thank you,
19 Brad.

20
21 MR. SHULTZ: Thank you.

22
23 CHAIRMAN GOODWIN: BLM. Randy Meyers.

24
25 MS. MEYERS: Randy Meyers, BLM in Kotzebue. And I'm
26 going to be pretty brief. I took Barbara Armstrong's
27 recommendation on the 3rd of December -- I got a fax and she
28 said that there was a proposal in that agency people confine
29 their reports to the fall meetings, so that's what I've done.
30 I don't have a report for you, but what I do have is just an
31 update on the Squirrel River Wild and Scenic River proposal.

32
33 The official draft should be in Fairbanks today, big
34 piles of printed copies. So they'll be distributing those
35 around the state and they should be sending me a big pile of
36 copies as well so I'll make sure that they get out to Kiana and
37 Noorvik and Selawik, and then I'll distribute some by hand
38 around town. We will be having some public meetings to talk
39 about the contents of that draft, once it's been digested, so
40 those are going to be setup for the 9th and 10th of April. The
41 9th in Kiana, the 10th in Kotzebue. And then there'll also be
42 meetings in Fairbanks and in Anchorage and I don't have the
43 dates on them.

44
45 Barbara Armstrong has agreed to do an Inupiaq
46 translation of -- say, it's probably going to be just a one
47 page summary of the proposal. So that should be available in
48 the Arctic Sounder. You could hear it on the radio, we're
49 still working out the details there, but sometime between now
50 and the 28th of April. That 28th of April date is the final

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1 date for any written or oral testimony. So that's just a
2 little update to let you know that it's still in the works and
3 you should be hearing more from BLM on that topic soon.

4

5 Any questions?

6

7 CHAIRMAN GOODWIN: Questions.

8

9 MS. MEYERS: Okay.

10

11 CHAIRMAN GOODWIN: Thank you.

12

13 MS. MEYERS: Thanks.

14

15 CHAIRMAN GOODWIN: Alaska Department of Fish and Game,
16 Jim Dau and LeeAnn Ayres.

17

18 MR. DAU: Jim Dau, Fish and Game. I thought I was up
19 last and I didn't have anything prepared. I thought everybody
20 else was going to say it first.

21

22 I guess I wasn't going to talk so much about wildlife,
23 I was going to talk more about what the Board of Game has done
24 recently, both in Nome and in Bethel. Susan Bucknell is going
25 to go through the laundry list of all the changes. I was
26 mostly going to talk about sheep, because it's a real
27 complicated proposal that was passed. Last October, the Board
28 of Game met in Nome and they considered a complex proposal
29 regarding sheep. And what we're doing is we're anticipating an
30 opening -- a reopening of sheep hunting in the next, you know,
31 possibly this fall. We've had three years of good lamb
32 production and we saw one year, last year, a number of adults
33 increased so we're anticipating on -- what the proposal
34 attempted to do was three general things.

35

36 The first was to provide more protection or more
37 control over the harvest of sheep when we do reopen hunting.
38 The second, is to start managing sheep on a population basis
39 instead of Game Management Unit basis. And the third, was just
40 to clarify the boundaries by consistently using the rivers to
41 describe sheep management areas instead of some combination of
42 rivers and passes.

43

44 The main thing I want to talk about now is how -- or
45 what the board did to provide more control over hunting. The
46 Board established for the fall sport season, drawing permit
47 hunts. In the past we've never had a drawing permit hunt for
48 sheep in Unit 23 for fall sport hunting. We've had
49 registration permit hunts, but we've never had drawing permit
50 hunts. What that means is is to be able to hunt now, either in

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1 the Bairds or the DeLongs, the hunters are going to have to
2 apply -- a sport hunter is going to have to apply to the
3 drawing permit system and drawn. We're going to know exactly
4 how many hunters can hunt in either one of those Wrangells
5 before the season ever opens. In the past, we didn't have
6 that, anybody could go and hunt and it was upon us to close the
7 season when we thought we were approaching the harvest quota.
8 So for both the DeLong Mountains and then the Bairds Mountains,
9 there will be separate fall drawing permit hunts established.
10 You know, we'll have separate quotas.

11
12 In addition, there will be winter registration hunts
13 for the DeLongs and the Bairds. In the Bairds, that's no
14 change, we've had a drawing -- a registration permit hunt for
15 the winter subsistence season for a long time. We've never had
16 that in the past in the DeLongs. So now the DeLongs will be
17 the same as the Bairds. There will be no limit to the number
18 of permits and they'll be free. You don't have to apply, you
19 know, months and months in advance. You can go to a vendor and
20 just pickup a subsistence registration permit.

21
22 The other change was, I've mentioned two of the areas,
23 DeLong Mountains will be defined as everything north of the
24 Noatak River and north of Koyuk and Rabbit Creeks, it will also
25 be west of the Aniuk River and Etivluk River. So basically
26 west of Howard Pass. That's the DeLongs. The Bairds are
27 defined as everything south of the Noatak River and south of
28 Kayak Creek. So it takes in, maybe Chuck Hills, that will be
29 part of the Bairds, and it's everything west of the Cutler
30 Redstone Rivers. A third area is everything east of the Aniuk
31 River and Etivluk River and everything east of the Cutler and
32 Redstone Rivers. Basically it's the extreme upper Noatak, the
33 people from Kobuk, Shungank and Ambler hunt. And there,
34 there's no drawing for that hunt in the fall, it will just be a
35 statewide hunt on State managed lands. But in that extreme
36 eastern portion of the unit, there are almost no sheep on State
37 managed lands, it's almost all Federal lands. There's really,
38 functionally, only a subsistence hunt in the extreme eastern
39 portion of the unit.

40
41 We increased the bag limit from one sheep to three in
42 that extreme eastern part of the unit. We call that the
43 Schwatka mountains. And we did that to try and be consistent
44 with the way they've managed sheep in Gates of the Arctic and
45 in Unit 24. The sheep that are in Unit 23 are just, we think,
46 it's just a fringe of a much bigger population and we didn't
47 see any reason for inconsistent regulations for that population
48 so we tried to adopt what they've been doing.

49
50 We also changed the seasons in the Schwatkas for the

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1 subsistence season, it will open August 1st like it has farther
2 to the east and it will go through the end of the April. For
3 the subsistence season in the Bairds and the DeLongs, it used
4 to open October 1st. The Board moved that up to make it
5 consistent with the sport season. So now the subsistence
6 season will start August 10th so we've added about seven weeks
7 to the subsistence season. The Board for the subsistence hunt
8 in all three of those areas, the Schwatkas, the Bairds and the
9 DeLongs, as a condition of the registration permit, the Board
10 made it illegal to use aircraft. So it's Gordon's turn, he can
11 thump on me now about not being able to use aircraft, that's
12 what the Board did.

13
14 MR. ITO: I'll wait until your presentation's over,
15 Jim.

16
17 MR. STONEY: That's even for the sport hunting guy,
18 they can't use these aircraft for sport hunting?

19
20 MR. DAU: They can. In fact, that's the only hunt that
21 will be the drawing permit hunts in the fall, August 10th
22 through September 20th, you can use an aircraft then. And also
23 in the Schwatkas during the statewide hunt you could use an
24 aircraft August 10th through September 20th. But if you're
25 hunting under subsistence, you can't use an aircraft.

26
27 That's a lot of information. I'll stop there if
28 anybody wants to ask about sheep or stuff.

29
30 MR. STONEY: Jim, you said they'll have -- they'll be
31 drawn, right?

32
33 MR. DAU: Right.

34
35 MR. STONEY: And how many are you going to have to
36 draw?

37
38 MR. DAU: That will be based on the number of sheep we
39 count in July.

40
41 MR. STONEY: Okay.

42
43 MR. DAU: And one thing I want to make sure you know
44 what's going on this year is there's no way we can do a July
45 count and administratively allow for a drawing permit four
46 weeks later, there's just no way. So what's going to happen
47 this year was they looked at the counts we did last July and
48 they said, what's your best guess at harvestable surplus.
49 Well, we talked about this at the end of last July, we talked
50 about it with Brad Shultz from Park Service, we also had public

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1 meetings. And our best guess at that time was a harvestable
2 surplus in the Bairds, about 20 sheep. The harvestable surplus
3 in the DeLongs, which is much more arbitrary, was roughly 20
4 sheep. But what all the local people told us here was we want
5 to wait another year. So we don't have a season this year, any
6 season at all.

7
8 What's happened right now is the Department has
9 published a drawing permit hunt for the sport hunt for this
10 coming fall. So August 10th, they're assuming there'll be 11
11 permits available. They're going to accept applications for
12 those. If we go out and count sheep and things have not
13 continued to improve, or if they have continued to improve,
14 we're still going to talk about, you know, our results and
15 decide whether or not we want to have a hunt. If we don't want
16 to have a hunt, we'll do what we've done every year since 1991,
17 we'll either shorten or close the seasons by emergency order.
18 But the reason the State did that was, again, it was just
19 because of the administrative lag it takes to allow people time
20 to apply for these permits.

21
22 CHAIRMAN GOODWIN: Any other questions. Bert.

23
24 MR. GRIEST: What was your total for subsistence,
25 that's three bag limit and the total is -- the allowable take
26 would be -- sheep?

27
28 MR. DAU: Well, that will be based on the surveys.

29
30 MR. GRIEST: Based on the survey.

31
32 MR. DAU: The numbers I can give you right now are
33 subsistence need, but I can't tell you what the harvestable
34 surplus is right now. I can tell you based on last year
35 roughly. The subsistence need figures and Susan Georgette's a
36 better one to answer questions than me, the DeLongs was two
37 sheep to nine sheep. In the Bairds it was 20 sheep to 43
38 sheep.

39
40 So what that means, the way those subsistence need
41 numbers get cranked into the overall equation was that in the
42 Bairds, until we have a harvestable surplus greater than 43,
43 there's probably not going to be a sport hunt. So I think for
44 many years, there's only going to be a subsistence hunt.

45
46 In the DeLongs, because that upper number is pretty
47 low, nine sheep, almost certainly the first year we have any
48 harvestable surplus there's going to be something above that
49 nine and that's what's going to go to the sport hunt.

50

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1 But to answer your question, we'll need to do the
2 counts in July to tell you what it's going to be this coming
3 fall.

4
5 CHAIRMAN GOODWIN: Gordon.
6

7 MR. ITO: Should have sat up here, I would have went
8 down here. Gordon Ito from Kotzebue. Yeah, I guess maybe --
9 first off I'd like to thank this Board for giving me the time
10 to comment. I hate to bug you guys, I probably won't be back,
11 but I mean I just had to put everything on the table with this.
12 And I know I was outnumbered, I count 31 people here and
13 there's only, what, three or four people from the public and
14 the rest agency people aside from yourselves.
15

16 The problem I have with this is, like Jim said,
17 aircraft, number one. Okay, I won't hide it, sure. I don't
18 understand how under ANILCA we turnaround and we don't say
19 means of transportation on how my duck dies with a lead ball or
20 a steel ball, but they're also doing it with my transportation.
21 Now, predominately during this August 10th, when they open up
22 this subsistence hunt that we're talking about, you're talking,
23 okay the subsistence people can get nine sheep, predominately
24 they use snowmachines. Now, it's kind of tough for a Native
25 person to go run up that river or run up in the Mamelaks up
26 here and go grab a sheep with a snowmachine August 10th. Now,
27 automatically the game hunt opens up and it's okay from some
28 guy to come down and all of a sudden he gets a registration
29 hunt, he jumps in an airplane, he can go land on top of that
30 mountain, he'll snag those 11 sheep.
31

32 I asked -- in fact, I had asked, what is their kill
33 ratio on these sheep? Well, with an aircraft, when you're
34 talking \$7,000 per sheep, that's \$77,000, you're almost going
35 to get a 100 percent kill ratio on this. Now, we've had this
36 closed down for what, five, maybe six years, and the reason we
37 had it closed down was the simple fact sustainable yield. We
38 were very concerned that the numbers were getting so low, what
39 we, as in the Advisory Committee, I should say -- I'll take one
40 hat off and I'll put another on, the Advisory Committee. and
41 this is what we've been kicking around for -- we've had
42 emergency closures for the past, what, five years, Jim?
43

44 MR. DAU: Probably six.
45

46 MR. ITO: Six years, okay. Excuse me, six years, we've
47 had the subsistence shut down, we've had the sport hunting shut
48 down for six years. Now, me as a subsistence hunter, whether I
49 use a snowmachine, airplane or a boat, I haven't had sheep meat
50 for six years and I'm from here.

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1 Now, we toss up 11 or excuse me, we toss up 20 sheep
2 and we take down nine for subsistence and we give 11 away for
3 hunts which these are general hunts, which would be a sport
4 hunt, then we're going to observe a lot less than what we had
5 to start with. The Board of Game moved it up from October to
6 August 10th and they put in the competition with the sword
7 hunters, with the subsistence hunters and I feel very
8 uncomfortable because I'm running on one leg and that leg's
9 turning wooden because I'm at a disadvantage August 10th when I
10 can't run up there on my snowmachine, I can't run up there on
11 my boat and let me tell you something, the only place that
12 they're looking at getting these sheep are up in the canyons.
13 Now, August 10th, if you've ever been up there it's about 100
14 degrees sometimes. And then sheep are moving out of that
15 canyon so the only other place I could go is walk up those
16 mountains and grab that sheep. And I've got to walk for two
17 days when a guy can fly in here, pay \$7,000, jump in a plane,
18 run up there and just snag his meat and actually they really
19 don't want the meat anyway. They want the horns. They're head
20 hunters. I mean that's something we have to understand.
21 There's a difference between subsistence hunters and sport
22 hunters. They're out there for a trophy. I'm out there to
23 feed my family. It gets to the point of who's this regulation
24 made up for? And actually this is in Park land, which, up the
25 Noatak River, this is a Federal subsistence issue or excuse me,
26 a Federal issue, not a State issue. But the State government
27 and the Federal government are working hand in hand to come up
28 with some real good regulations for everybody.

29
30 Now, we don't even know, coming from the Advisory
31 Committee, if we have enough numbers to open up a sport and a
32 subsistence hunt. The numbers that they've been throwing at us
33 for a couple years, Mr. Armstrong back here, avid hunter and an
34 elder, stating well those are the same bunch that run back and
35 forth, they hide, we don't know what the numbers are and it's
36 been very confusing for us. But we've been holding back. In
37 fact, the State wanted -- our staff wanted to close the sheep
38 hunting permanently so that we don't have to keep on every year
39 closing it by emergency order. But this is -- I understood the
40 fact that there was no aircraft, sure, that makes me run on one
41 wooden leg. For the last two years, try to get up the Nakolik
42 with a boat. I've been up there the last couple of years and
43 boy you want to talk about low water. Three years ago they
44 couldn't get any fuel into Noatak, no water. Now, what they're
45 going to do predominately with these sheep, when you get the
46 rams, you're going to get 11 big rams, that's the biggest meat.
47 I don't care about the horns, we want the meat, too. But they
48 get first crack at them 11 rams. For the last six years it's
49 been shut down, well, maybe 10 -- maybe 15/20 good size curl,
50 maybe curl and a half rams here or three-quarter to a full

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1 curl. I haven't done any surveys up there, but I assume I'll
2 probably be roaming around up there just as soon as the game
3 warden gets his plane fired up. He likes to go do a bunch of
4 surveys with me since he's right on me.

5
6 But this is what I feel very uncomfortable with. With
7 the numbers that State Game Board's making, how they're putting
8 restrictions on us, when in all actuality in the Park, if
9 there's no other ways or means for me to get my fish or game, I
10 can go in there as a subsistence hunter and take it with my
11 aircraft. It's not restricting me. But the State of Alaska's
12 restricting me. Like he sees different colors. Well, I don't
13 know what I am, Eskimo, White or -- I thought I was an Eskimo
14 the last time, but I fly an airplane so that makes me White, a
15 lot of people don't like airplanes. So how they come up with
16 this deal with aircraft and excluding aircraft here. I was
17 hammering on that one way or another. But I think this should
18 be straightened out by this Game Board, you know, I assume that
19 this Board can probably open up a subsistence hunt up the
20 Noatak River and that would have to close down the State hunt
21 because there wouldn't be enough animals running around up
22 here. Well, the Federal Board would give out the subsistence
23 numbers and the State wouldn't have no numbers to give out, I
24 assume. I don't know.

25
26 But I've been talking to the Advisory Board members
27 from the Kotzebue Advisory and I'm getting -- I want to touch
28 basis with each and everyone of them and have a meeting and see
29 exactly where we're coming with this because August 10th is
30 just no good. Just the fact that we only get nine animals on
31 the -- what is that, the north side or the south side, excuse
32 me, we only get nine animals out of 20. Well, nine animals
33 after six years isn't enough to go around. Noatak's going to
34 take nine animals in a heartbeat. What's leftover for
35 Kotzebue? What's leftover for anybody else in the region?
36 Nothing. I mean those subsistence numbers are -- subsistence
37 people come with here and I kept on kicking those numbers
38 around and wondering how they use their formula. And that's
39 their formula, that's the formula they bring from the Board of
40 Game and that's the Board of Game -- that's what they dished
41 out to him and we -- you know, we want to eat meat, too, after
42 it's been shut down this long.

43
44 Thank you, Mr. Chairman.

45
46 CHAIRMAN GOODWIN: Thank you, Gordon. Jim, you got any
47 comment to that?

48
49 MR. DAU: I'm not sure what the question was, but I can
50 make a couple comments. You're right, Gordon, you only get

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1 nine of the first -- let's say the harvestable quota the first
2 year is 20, and subsistence, you know, would get nine because
3 11 would go to the drawing permit hunt. In the Bairds, though,
4 until the harvestable surplus gets above 43, subsistence gets
5 them all. And I think it's going to be a hell of a long time
6 before we get above 43 for the harvestable surplus based on
7 what we've got. And extreme upper Noatak, again, there's
8 essentially no sport hunt up there because there's essentially
9 no sheep hunt on State managed lands. So again, all those
10 sheep go to a subsistence hunt.

11
12 I think if you compare what you have now to what you
13 had last year, if we had not closed the season by EO, there was
14 no limit at all on the number of guys that were going to come
15 in there and it was just an open hunt. And we were afraid if
16 that happened, that they would take more than the harvestable
17 surplus before we could close the season. So that's why the
18 change was made.

19
20 I think it's shortsighted, Gordon, to focus on these 11
21 sheep that are going to the drawing permit hunt and not
22 consider anything else. You're right, it's in the De Longs,
23 nine sheep for the subsistence needing, and Susan and Elizabeth
24 can talk about how the numbers were determined for subsistence
25 need. I can't. But I think we have more control now than we
26 had even a year ago and that's going to be necessary.

27
28 CHAIRMAN GOODWIN: Susan.

29
30 MS. GEORGETTE: My name is Susan Georgette. And I just
31 wanted to comment for a minute about the nine sheep that
32 Gordon's talking about. And in the late 1980s, Hanna Lin and I
33 did a project in the region on subsistence use of sheep and
34 this was before the season was closed down, this was just when
35 it had been open and people were hunting kind of how they
36 wanted. And what we found out in that work was that most of
37 the DeLong harvest came from Kivalina and that Wulik Peaks
38 area, that is where they hunted. And they said they took four
39 or five sheep a year out of there. There was occasional sheep
40 taken by Noatak residents in the canyons incidental to
41 traveling through there. And once in awhile there was a Noatak
42 person who maybe climbed into the Poktovak (ph) mountains and
43 got a sheep or snowmachined up one of those northern rivers and
44 got a sheep. But most of the subsistence sheep hunting in that
45 time took place in the Baird mountains. That's why the Baird
46 mountains has this 20 to 45 because that's where most people
47 hunted. And the DeLongs had this really low harvest because it
48 was faraway from most people and it was mostly Kivalina. And
49 so that's where the nine came from. When we looked at that
50 study from the 1980s and added up what village people, at that

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1 time said they needed, and nine was about what the number was.
2 But Gordon's right that no hunting's gone on now for six or
3 seven or eight years and so maybe that nine isn't really the
4 right number if you have a lot of bottled up interest in sheep
5 hunting and if that's the only place open maybe there will be
6 more subsistence hunters that go into the DeLongs. But that
7 number can be changed, right. I mean we do the best we can to
8 the Board of Game given the information we have. And if it's
9 not the right number we go back and change it.

10
11 Thank you.

12
13 CHAIRMAN GOODWIN: Thank you.

14
15 MR. ITO: Mr. Chairman, you know the problem I have
16 with this, you know, every two years your cycle comes around
17 for that and the only way we can do anything about this from
18 the advisory committee is by emergency order, shutting it down
19 again this year until we're a little bit more clear and we feel
20 a little bit more comfortable with the numbers that did come
21 back. And at this point in time, I think it's time for us to
22 have an advisory meeting, sit down with our biologists and our
23 subsistence czar here and kick these numbers around. Because,
24 you know, it seems to me that when these guys want to do a
25 survey, they're very selective about their survey.

26
27 Willie, don't tell me your dad wasn't flying around
28 those mountains with Leo Shaffer hunting sheep when they were a
29 little bit younger.

30
31 MR. GOODWIN: I won't tell you.

32
33 MR. ITO: Well, don't tell me. Okay. And I won't ask
34 Leo because he's still alive over here and I stop by and have
35 coffee every now and again. I mean I won't tell you that Gene
36 was up there snagging a few sheep every time he had to get a
37 few sheep. All these numbers that they're talking about that
38 they get from Noatak and these villages, well, they always
39 slide aside from Kotzebue like we don't hunt. And that's why I
40 usually get frustrated when it gets down to the point of their
41 numbers.

42
43 In fact, yeah, we haven't had no legal hunt, per se, in
44 the last six years. But there has been quite a bit of sheep
45 meat on the table. Jim and I go round and round about this,
46 these illegal hunts. I mean the things I see when I'm out
47 there flying around. I try to get a hold of the game warden
48 and the game warden turns around all I get is the message
49 machine so I go talk to Jim and then Jim blows up at me at a
50 meeting about all the illegal stuff I'm talking about because

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1 it's all going on. Well, I'm out there and I see it. And I
2 think this is kind of an in-house deal that will probably have
3 to be cleaned up in-house and I, you know.

4
5 I don't want to get very -- I don't want to get vulgar
6 here on the table and on the floor because this is your meeting
7 and I'm trying to be as respectful as I usually know how. And
8 I'd like to apologize to this Board for taking up half their
9 time or half their day. I know you could have gone through a
10 lot more other things aside from listening to me. Thank you.

11
12 CHAIRMAN GOODWIN: Thank you, Gordon. Any other
13 questions to Jim. Victor.

14
15 MR. KARMUN: Thank you, Mr. Chairman. Victor Karmun
16 here, private citizen. Two years ago I was a subsistence
17 coordinator for the Kotzebue IRA, which is a recognized Native
18 government of Kotzebue. Roughly there are a hundred Native
19 houses in Kotzebue. I documented roughly one-third of the
20 households in Kotzebue for a high profile controversial animal;
21 sheep. Two years ago I documented nine out of roughly one-
22 third of the households in Kotzebue. Controversial. Breaking
23 the law. Yes. But what I told these people, there would be no
24 names used, no household numbers taken. I said the reason it
25 has to be documented is just for something like this. That
26 they are taken and used, especially in Kotzebue with the other
27 villages concerned. Even if somebody asked me right now, I
28 probably couldn't tell you the names.

29
30 But this program I used with the Kotzebue IRA was
31 basically patterned after the YK-Delta Goose Management Plan in
32 the nature of the way they've taken and documented their
33 migratory birds. Roughly one-third of all the households in
34 each village, you get a very good number of all your fish and
35 game taken in any one community. At that particularly time I
36 documented all of their migratory birds, caribou, moose for the
37 Native Village of Kotzebue, and I came up with nine. And I
38 think that's for one -- roughly one-third of the households in
39 Kotzebue, I think that's a very accurate number.

40
41 Thank you.

42
43 CHAIRMAN GOODWIN: Thank you, Victor. Any other
44 comments regarding Jim's report.

45
46 MR. ARMSTRONG: Mr. Chairman, this Elmer Armstrong
47 again. I'd just like to say that I think -- I know that Jim's
48 been going around and around in circles looking for sheep, you
49 know. And we talked about this in -- and every time we had
50 meetings, you know, we never really resolved it. I think

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1 Leslie here is fortunate enough that they have somebody in
2 Selawik, a Native that knows where the certain animals are. I
3 think the State should start using someone that lives by these
4 species be involved with these studies. And this is a
5 recommendation that I'd like to make from the elders side
6 because this is what we live with. We don't eat sheep meat no
7 more because, you know, we had emergency closures, you know. I
8 think this is something that's never been done before. I think
9 it would help the Department if we have someone working with
10 the State because a lot of our elderly Native men, my age,
11 knows exactly where these species stay and make a move. What
12 time of the year that they make their move. And I've said that
13 in one of our meetings.

14
15 So I've lived here 47 years, moved from Buckland. And
16 I hunted around Noatak all the way up to the headwaters of
17 Noatak. And I've hunted with 40 year experienced guides like
18 Art Fields and I know exactly where these species live. And I
19 just wanted to say that I think we need to try something to
20 make better numbers in our reports.

21
22 Thank you.

23
24 CHAIRMAN GOODWIN: Thank you, Elmer. If there are no
25 other questions to Jim -- go ahead, Raymond.

26
27 MR. STONEY: Thank you, Mr. Chairman. My question is
28 to Jim there. Like you said, there's a possibility of opening
29 the sheep hunting this coming season; is that correct?

30
31 MR. DAU: I think there's a possibility. yeah.

32
33 MR. STONEY: And then if it is open, now what you're
34 planning, are you going to keep it open year after year or just
35 make another emergency closure if the sheep are declining very
36 rapidly after the first season?

37
38 MR. DAU: Don't have any long-term plan like that. I
39 hope that we don't have to close by emergency order. That's
40 hard on people and it's hard on agencies. It'd be way better
41 to go slow and make sure we don't have to do that. But you
42 know as well as I do, we can't predict weather. And if things,
43 you know, Brad talked about lots of goals, I think that's still
44 true, there's lots of goals. I'm not going to stick my neck
45 out. I don't know what we're going to do this fall, much less
46 what we're going to do next fall, Raymond.

47
48 The only thing I can guarantee you is when we do the
49 surveys, we'll talk with the advisory committees and you guys
50 as much as we can and we'll make the decision together. We

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1 haven't done anything. Nothing. Since the sheep population
2 crashed without talking to local folks, the RAC and the
3 advisory committees, and that's the only promise I'll make you.

4
5 MR. STONEY: Thank you.

6
7 MR. DAU: Do you want to hear about a couple other
8 things? Have I got time or....

9
10 CHAIRMAN GOODWIN: Yeah, you got time. What are they?

11
12 MR. DAU: I think I'll leave all the other Board of
13 Game stuff to Susan Bucknell. She can go through it and then
14 if you have questions and I need to chip in I will. I had
15 several things on caribou. One, is I just -- I was asked to
16 mention to you that the co-management process for the Western
17 Arctic Herd is still continuing. They're continuing to try and
18 modify a draft co-management that Maniilaq put together. Both
19 Dave Spirites and Leslie Kerr have been more involved in than
20 me, they can tell you more than I can.

21
22 Another thing I wanted to mention is just the winter
23 distribution of caribou this year. For the first time since the
24 early to mid-1970s we've got a substantial number of caribou up
25 around Wiseman from the Western Arctic Herd. There could be 40
26 or 50,000 caribou up there based on the collars. They haven't
27 done that since the last time they crashed. Most of the
28 caribou are down in the Nulato Hills, Unalakleet, Shaktoolik
29 area; that's where they've been for the 10 or 15 years, most of
30 them. This year we had caribou from the Mulchatna Herd bumping
31 up against the Western Arctic Herd for a short time in
32 December. We haven't seen that before. And then this year,
33 just like last year, we've got tens of thousands of caribou on
34 the Seward Peninsula raising hell with the reindeer herds.
35 Erik Harmon has again threatened -- he basically lost all of
36 his deer last year and got them back -- got most of them back.
37 I don't know what's going to happen this year. But Tom
38 Graysherd and Roger Manalick's herd, all three of those are in
39 jeopardy.

40
41 The last thing that I was just going to say is Earl
42 Kingik came all the way down from Point Hope mostly to talk
43 about sick caribou and he and I were going to say something
44 together just about sick caribou. Percy, he's interested in
45 that too, if you guys want to get up.

46
47 CHAIRMAN GOODWIN: That is on our -- any objections
48 from the Council here to move it up from Item C under new
49 business; can we add them now?

50

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1 (Council agrees)

2

3

4 MR. KINGIK: Good afternoon. Thank you, Mr. Chair and
5 thank you Advisory Board. My name is Earl Kingik, Native
6 Village of Point Hope, Wildlife and Parks Director. Me and Jim
7 Dau have been working on this caribou issue for a long time.
8 The biggest -- was 1994 when you read the newspaper that 3,000
9 caribous had died within the Point Hope area. And you know in
10 the newspapers you read that the caribous were heading out to
11 the ice, were they going to Siberia or anywhere, you know, we
12 don't know what's going on.

13

14 But we've been having problems with our caribous, you
15 know. Our caribous are sick. It cost \$5,000 just to do one
16 little sample, you know. We send it all the way down to
17 Virginia and in the process sometimes our samples always get
18 lost, you know, and the doctor -- the scientists that are
19 studying these animals don't want to study them because they
20 stink, they smell and, you know, pretty hard to work with. But
21 we need the advisory board to recognize that our caribous are
22 sick. Talking with tribal doctors like Truman Cleveland, Chris
23 Stein and other tribal doctors, Zella Stone, the patients there
24 are working, you know. They ask them questions what do they
25 eat. I had caribou meat. And the problems they are having is
26 gassy stomach. Stomachs are, you know, they call -- some of
27 them are maybe prolonged cancers developing or something like
28 that.

29

30 But we need to find out how come our caribous are sick,
31 you know. Our people are scared to eat caribou. They love to,
32 but they can't no more. They love to (Native) it, they can't
33 (Native) no more. They love to calp (ph), they can't calp no
34 more. We have notices from the Department of Health, North
35 Slope Borough that we have to cook our caribou real well, we
36 can't eat (Native), we can't calp, brucellosis, you know. Our
37 elders are concerned. We got, you know, people will go out
38 there and catch caribou and they don't even want to cut it
39 because, yeah, I could see the puss -- you could see the puss
40 on the joints. The newest part is when you open up a caribou
41 around the neck, there's no sore, but you go down to the neck
42 and you go inside and you go right to the bone, that membrane,
43 that little piece there, there's puss all the way down. I
44 don't know how the hell it went there. These are the kinds of
45 stuff we need to consider. We got to learn -- we got to find
46 out how come our caribous are sick, you know. And this is what
47 I want the advisory to recognize.

48

49 And I'd like to thank you guys for letting me speak on
50 behalf of my tribe because my tribe is concerned about the
51 caribou. Maybe Jim could fill in a little bit more.

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1 CHAIRMAN GOODWIN: Thank you, Earl. Jim.

2
3 MR. DAU: I think all of you have -- Barb gave you a
4 copy of the letter that I sent out to the IRAs. If you get a
5 chance, read that letter. I'm just going to basically
6 summarize what I said in the letter. I don't really know
7 what's going on. But I can tell you that for the last three or
8 four years, especially the last couple years I've been getting
9 more reports from concerned hunters that they're seeing sick
10 caribou.

11
12 I think -- when I get to talk to the hunters, I think
13 people are mostly seeing things that have been in caribou for a
14 long time, they're just seeing more of it. All the white spots
15 in the liver. We've been seeing white spots in the liver ever
16 since there were caribou livers to look at. But we're seeing
17 more white spots than we used to. What most of those white
18 spots are larvae tapeworms. The adult tapeworm occurs in
19 wolves and foxes.

20
21 I'm getting more reports of abscesses and there's a
22 million things that can cause abscesses, I don't know what all
23 of them are. I just wanted to mention the results -- we sent
24 in tissue results from several samples that I got last fall.
25 Earl sent down a caribou leg and I got two legs, one from Kiana
26 and one from the Noatak. The two legs both have swollen
27 joints. I sent those in and they both had brucellosis, they
28 were able to culture it from the joints. There's no absolutely
29 no question that it had the bacteria. Brucellosis can affect
30 people. We've known that for over 40 years. In people it's
31 called undulant fever. And the symptoms can be really severe
32 in people. It's very uncommon, but it happens, that you get a
33 high fever that goes up and down. That's why they call it
34 undulant fever. You get stomach problems. People that have it
35 for a long time can develop arthritis like conditions. It can
36 be treated because it's a bacteria. Bacteria are killed by
37 antibiotics.

38
39 There was a big study, I just read the results of this
40 study that was done in the '60s. And during five years of the
41 '60s, they only had eight known cases of brucellosis on the
42 North Slope, the Nana Regional, all the way down past
43 Unalakleet. But about 15 percent of the people that they
44 sampled, and they sampled close to 800 people, showed that they
45 had been exposed to the disease. So I think it's something to
46 recognize and to not just fluff off. But I don't think that we
47 need to, you know, quit eating caribou. I think basically
48 caribou are still a good source of food.

49
50 There's a bunch of other things that people are seeing

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1 that I'm getting reports about. You know, I've had calls of
2 people talking about sandpaper caribou, when they're punching
3 the hide off it feels like somebody's thrown sand in the hide.
4 That's the protozoan parasite called besnoitia, it doesn't
5 affect the meat. There's another thing that I'm getting
6 reports of, people have been getting caribou and it looks --
7 they say it looks grains of rice in the meat, that's probably
8 another protozoan parasite, it's sarcocystis. There's another
9 parasite that occurs in the meat that looks like a little clear
10 sac and every caribou that I've ever shot and most of the moose
11 have had those things, that's toenia krabbei, and that can't
12 affect us. None of the parasites that occur in caribou are a
13 big health threat for people.

14
15 The parasite that's a threat to people that occurs in
16 caribou is echinococcus, but the caribou aren't the threat.
17 The threat are wolves and the foxes. The way we get it is not
18 from eating the larvae. The way we get it is inhaling the
19 eggs. The eggs are microscopic. And when a hunter skins a
20 wolf, most wolves have echinococcus, the eggs are back around
21 the tail and the anus. If you get them on your hands and you
22 wipe your nose you can get an egg in you. People around here
23 have had echinococcus for a long time. It's treatable, but
24 it's hard. But caribou aren't the problem, it's wolves and
25 foxes and it's dogs. That's the bigger problem; is dogs.
26 Hunters should not feed caribou livers and lungs raw to their
27 dogs. You need to cook them or not feed them at all.

28
29 I think one of the things I said in the memo, but I'd
30 like to stress, I'd like to stress to all you guys to take back
31 to your village and encourage hunters when they get sick
32 caribou don't just walk away. Do what Earl did and Chip
33 Elstone and others, send me a sample. Give me a call or call
34 your IRA. If the hunters don't like talking to agency people
35 and I know a lot of them don't, make sure people know why they
36 walked away from that carcass. Because the other thing that I
37 get, occasionally are phone calls from pilots. You know,
38 whether it's a baker pilot that's brand new up here or some
39 guide, they're real quick to point a finger when they see a
40 partially skinned caribou near Point Hope or Kiana or Selawik.
41 Let us know what's going on so that it doesn't reflect poorly
42 on subsistence hunters. All it would take would be one picture
43 in the Anchorage Times of a partially skinned caribou and it'd
44 be a big deal.

45
46 So cover your tails and let us know when somebody
47 leaves a caribou carcass and if you can, get me a sample as
48 soon as you can. And next year we'll do another memo and I'll
49 tell you what we found out from the samples. But so far we
50 haven't gotten anything weird. There's no eggs in caribou,

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1 there's nothing new. This is all old stuff that I'm seeing
2 that's been around forever.

3
4 The last thing I want to say is the results of our
5 blood tests. We've been drawing blood samples from Western
6 Arctic caribou now for about six years. We've been getting
7 roughly 50 to 80 samples a year. Levels of brucellosis have
8 ranged from zero last year, we got no positives at all. The
9 highest we had was 11 or 12 percent and we had three years.
10 That doesn't mean 11 or 12 percent were infected, it just means
11 11 or 12 percent were exposed. There's a difference there.
12 That's pretty low. Because back in the '60s, levels of
13 incidents in this herd were in the 30 percent. And they were,
14 you know, for a long time they were between 15 and 20 percent.
15 So what we're seeing right now is lower than what we had 30
16 years ago. So I'm not going to tell you I know what's going
17 on, but I will say that I don't think we need to be paranoid
18 about eating caribou. Just rely on your experienced hunters,
19 how people know when there's a good caribou and when there's a
20 bad one. And if you get a bad one, let somebody know what's
21 going on.

22
23 CHAIRMAN GOODWIN: Any questions.

24
25 MR. STONEY: Yeah, Mr. Chairman, I got one.

26
27 CHAIRMAN GOODWIN: Okay.

28
29 MR. STONEY: Now, Jim, after you sample these caribou
30 where do you send it to?

31
32 MR. DAU: I send them to a couple different places. I
33 send them to John Blake who's a pathologist, a veterinary
34 pathologist at UAF. He was the first guy that looked at them.
35 We brought John out back in '95 and Earl worked with him doing
36 the necropsies up around Cape Thompson.

37
38 MR. STONEY: What part of the caribou -- did the
39 caribou -- what part would we have to send to you?

40
41 MR. DAU: You know the best sample I could get is
42 blood. Whole blood.

43
44 MR. STONEY: Blood?

45
46 MR. DAU: But it's really hard for you guys to get
47 because you can't scoop it out of the body cavity. It's
48 contaminated and it's also hemolyzed, that means all the little
49 blood cells are broken. The most realistic thing for hunters
50 to get me is if they get an animal with a big joint, take the

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1 whole damn leg off and send me the whole leg. Don't cut into
2 the joint.

3
4 MR. STONEY: Front end leg?

5
6 MR. DAU: Either one.

7
8 MR. STONEY: Okay.

9
10 MR. DAU: And if you see a big abscess, it's an -- an
11 abscess is just a big pocket of puss, cut way around it. And
12 leave the hide on, take the muscle and send the whole thing
13 intact, send it in freight collect and we'll send it into a
14 lab. If you break into the abscess you expose yourself to
15 whatever's in there. The other thing is you're contaminated
16 and we're not going to find out what it was.

17
18 CHAIRMAN GOODWIN: Bert, you have a question?

19
20 MR. GRIEST: No.

21
22 CHAIRMAN GOODWIN: Anyone else? Thank you, Earl.
23 Well, go ahead Bert.

24
25 MR. GRIEST: What's your total number of starvation did
26 you say up the North Slope area or is just a problem in that
27 area?

28
29 MR. DAU: The year that Earl referred to, we guessed --
30 our best guess was between two and 3,000, and that's based on a
31 couple different things. That's based on flights that I made
32 with Earl and I took Wilfred Lang, I took Russell Adam, Sr., we
33 all went out and we all went out and we counted just carcasses
34 and we counted over 1,100 between us.

35
36 MR. GRIEST: Um-hum.

37
38 MR. DAU: And based on what -- where we could get into,
39 some of the area where Earl and I tried to go we got blown out,
40 we just couldn't go. That was one of the reasons we guessed
41 two to 3,000. The other thing was we had three radio collars
42 in the area that winter between Krusenstern and Lisburne. At
43 that time three collars represented roughly 10,000 caribou.
44 One of those collars died and so roughly a third of the
45 collars. I guess that would say, you know, 3,000 caribou. So
46 it's a pretty rough figure. That was -- people were calling it
47 the Cape Thompson die. They started dying in the fall. A lot
48 of the big bulls starved to death before they even lost their
49 antlers. But John Blake figured it was starvation. Tod O'Hara
50 did a bunch of analysis for radioactive contaminants and metals

00100

1 and they couldn't find any evidence there. There have been two
2 other die-offs though that weren't as widely publicized. One
3 was up around Teshekpuk Lake that was probably bigger, and it
4 was two or three years before that. And there was another die-
5 off that happened about the same time and that was around the
6 foothills north of Anaktuvuk Pass, and it was slightly smaller,
7 probably a thousand animals. So we've known of three different
8 die-offs in the last eight years.

9
10 MR. KINGIK: Yeah, the pictures, I was passing you guys
11 around, that's how that caribous died. That's how -- foxes are
12 around. The foxes never disturb them, they're just like that.

13
14 CHAIRMAN GOODWIN: Bert.

15
16 MR. GRIEST: Do you have any sense or comment about
17 whether the Department might be anticipating a crash in the
18 numbers of the Western Arctic?

19
20 MR. DAU: We're not anticipating a crash. You know, it
21 could happen, but it might not. You know, what you always see
22 on the grass is the population goes up, up, up, up and then
23 with a crash it falls right off. We can't say that's going to
24 happen already because since 1990 we've been over 400,000
25 caribou for seven or eight years now. And what the population
26 has done, it's gone like this and for the last six or seven or
27 eight years, it's been leveling off. From 1993 to 1996 it went
28 from roughly 415,000 to 463,000. That's a fairly small change
29 in relation to the size of the herd. Like I told Raymond for
30 sheep, I don't know what's going to happen with weather. I
31 think weather's going to be a huge factor. If we get two or
32 three winters like we did in the late '80s that caused our
33 sheep to crash, it could do that to caribou.

34
35 MR. BALLOT: Does anyone have any reports or concerns
36 on the health as the herd goes like to Unalakleet or wherever
37 or down south, if they go, from the hunters or anybody?

38
39 MR. DAU: All the reports I've gotten so far this year
40 is that caribou are in pretty good shape.

41
42 UNIDENTIFIED VOICE: Those are the only ones that are
43 strong enough to get down there because they're healthy.

44
45 MR. DAU: Maybe so. Maybe that's why they stopped in
46 Wiseman, they got tired.

47
48 MR. KINGIK: We had a big die-off on moose, too, at the
49 Colville River. It happened about the same time those caribou
50 died off in Cape Thompson. And they seemed to die-off on the

00101

1 same thing, you know, starvation. Everybody say starvation,
2 but starvation, you know, I don't know, because there's a lot
3 of food out there. There is a lot of liken for the caribou.
4 There's no snow, you know. And I don't know how come -- and
5 when we open up their stomach we find rocks inside there, you
6 know, in their stomach. Most of these caribous, you know, they
7 have rocks in them, but there's a lot of food out there, a lot
8 of liken. I don't know how they consider them starving.

9
10 MR. DAU: one other thing I'll say is last winter we
11 had the lowest mortality rate that we've probably measured in
12 20 years. It was an easy winter. And so far this winter it's
13 been real easy too. The caribou that have been down around the
14 Seward, we've had none of the radio collars die. And that's
15 almost unheard of. There's probably 30 radio collars down
16 there. Some of those animals are, you know, 12, 15 years old.

17
18 CHAIRMAN GOODWIN: Percy.

19
20 MR. BALLOT: We've got some meat that is like real
21 hard, some meat that are real soft when you're taking out the
22 meat you could almost tear it up; what does that? I don't.....

23
24 MR. DAU: I know one thing that affects meat harvest
25 from my time with the reindeer industry is how soon it freezes.
26 Most of the reindeer herd is when they butcher them when it's
27 cold they don't skin right away. You know, they wait a little
28 while and let that carcass cool off, it needs to go through
29 rigor mortis. If they're allowed to freeze before they go
30 through rigor mortis, you'll end up with harder meat than if it
31 goes through rigor mortis then you skin it.

32
33 I'm not really sure though, Percy, what could be going
34 on. We shot a caribou this fall, the heart was like jello. I
35 never felt anything like it. My kid pulled the heart out and
36 he said, Jesus feel this, it was terrible. And it was fat --
37 the meat's great, we're eating it. But that thing was a heart
38 attack waiting to happen.

39
40 CHAIRMAN GOODWIN: I don't know where to direct these
41 comments on the sick caribou. I don't know if the agencies
42 here have any idea how this can be checked out with the
43 Department of Fish and Game. If that's possible, you know, we
44 can -- I'm sure ask you guys to investigate that.

45
46 MR. KINGIK: Earl Kingik, Native Village of Point Hope.
47 To the agencies, you know, what if my tribal organization
48 passed a resolution requesting funding to do more research on
49 caribous, you know, you guys are the animal people, you know,
50 take care of animals and maybe that would help or what?

00102

1 We need to really get down on these caribou issues, you
2 know? The next thing we got these walruses, the next thing we
3 got birds, you know, all these animals. But caribou is the
4 biggest topic right now. We've been trying to get funding and
5 we don't -- we got approached by Maniilaq to join the Northwest
6 Arctic Caribou Herd Association and we turned it down due to
7 the funding source, you know. But if the agencies could help
8 us in studying these caribous you know, it'd be great. But we
9 tried with the North Slope Borough, Tod O'Hara, we sent him or
10 sample down to Virginia or someplace, our samples get lost.
11 The doctors don't want to study them because they smell like
12 hell, you know. They're too rotten. Stuff like that. We need
13 to get down and we need help in studying these caribous because
14 that's our food out there.

15
16 CHAIRMAN GOODWIN: Yeah, I'm at a loss to -- because I
17 don't know what kind of structures you have in place to do an
18 investigative report or whatever you want to call it. I'm sure
19 some of these are isolated cases, but they are real and out
20 there.

21
22 MR. KINGIK: They're out there, yeah.

23
24 MR. DAU: Well, one thing we're doing, like I said, is
25 we're drawing blood when we put the collars out. And we got,
26 you know, in terms of the size of the population, it's a drop
27 in the bucket. But 80 samples, if there was anything wild
28 going on, we ought to detect it. We're doing that every year.
29 But disease work is really tough.

30
31 CHAIRMAN GOODWIN: Gordon.

32
33 MR. ITO: Yeah, Mr. Chairman, my name's Gordon Ito. I
34 think maybe what Mr. Kingik's probably looking for is a
35 resolution from this body right here to direct their Staff to
36 probably direct some funds, if there's any possible funds going
37 that they can -- discretionary funds that they can probably
38 come up with to put it towards this problem that we all have.
39 I can see a dire need that we have this problem of the younger
40 -- I mean it used to be, I know when I was growing up, my
41 grandmother passed away from cancer and they said, well, that's
42 just old people, that's -- most old people just pass away from
43 cancer anyway. Well, now as I'm growing up and I'm getting a
44 little bit more in tune with cancer and everything else,
45 there's people younger than me dying from cancer. Some of
46 cancer liver, all these kinds of cancers, they're starting to
47 show up. And I think one main diet that we all have in common
48 as Inupiaq people is caribou. And I know how trying to squeeze
49 money out of the agency when the Republicans are cutting it
50 back, but there must be somewhere that they can shine some

00103

1 light on this problem. Mr. Kingik, as he's traveled from Point
2 Hope down here to try to get some help and I know the agency
3 isn't going to do anything. They aren't going to budget unless
4 this body maybe comes up with some sort of resolution to kind
5 of direct something towards Mr. Kingik's problem.

6
7 Thank you, Mr. Chairman.

8
9 CHAIRMAN GOODWIN: Thank you. Do you got any response
10 to that Bill or is there something available that we can use or
11 who? Park Service, okay.

12
13 MR. SPIRITES: Ted Spirites, Park Service
14 Superintendent. In two weeks the Western Arctic Herd Co-
15 Management Group is meeting. And I think that might be one
16 channel for us to do this. This obviously involves some of the
17 -- some of our conversations are evolving, how the State and
18 Federal agencies can work together, collaboratively to pool
19 resources to better manage it. And I think that's a good forum
20 maybe to bring this issue in front of.

21
22 Thank you.

23
24 CHAIRMAN GOODWIN: Thank you. Brad, that issue is
25 going to be brought before you, you're part of that aren't you?

26
27 MR. SHULTZ: Peripherally.

28
29 CHAIRMAN GOODWIN: Any other comments or questions?

30
31 MR. SPIRITES: Mr. Chairman, just in response to your
32 last comment. John Trent from ADF&G is actually one of the co-
33 chairs of it, so it is a very active process with both the
34 State and Federal agencies, as well as the effective tribes. I
35 believe the co-chair is Pete Schaeffer. So it involves all
36 parties. And we'll certainly bring this issue up at that
37 meeting.

38
39 CHAIRMAN GOODWIN: Thank you. Thank you, Jim.
40 Fisheries. Tracy Lingnau.

41
42 MR. LINGNAU: Mr. Chairman, because Susan Georgette is
43 here and she's the one who's kind of done the recent
44 subsistence surveys, I'm going to defer to her for the results
45 of those surveys.

46
47 CHAIRMAN GOODWIN: Fine. Susan.

48
49 MS. GEORGETTE: My name is Susan Georgette. I think
50 Barb passed out this green one. And this is just a quick

00104

1 summary I put together of some of the results from the
2 subsistence salmon surveys we've done. This is the fourth year
3 we've done them, pretty region wide. We do them in about 18
4 villages and we interview about 80 to 95 percent of the people
5 in each village and so there's a lot of participation. And in
6 the Kotzebue area we also collected some information on
7 sheefish harvest from the Kobuk River communities, trout in
8 Noatak and white fish in Noatak and the Kobuk River
9 communities.

10
11 So if you have questions I can answer them, but if you
12 want to just look at these it gives you some ideas. Some of
13 this information might not seem critical in Kotzebue at the
14 moment. But I can tell you that in the Norton Sound area,
15 we've used this a lot right now with the issues over
16 subsistence salmon fishing in Nome and the conflicts with
17 intercept fisheries and all and we've found it to be really
18 useful.

19
20 And that's all I had on it.

21
22 CHAIRMAN GOODWIN: Sure there's more than five percent
23 of the commercial take, um?

24
25 MS. GEORGETTE: Sure is. Thank you, Mr. Chairman.

26
27 CHAIRMAN GOODWIN: Thank you, Susan. Now, anybody have
28 any questions regarding these numbers? Susan Bucknell on the
29 State Board of Game meeting.

30
31 MS. BUCKNELL: Susan Bucknell, Board Support Section.
32 That means I work with the State Advisory Committees for Fish
33 and Game. And the Board of Game's done a few interesting
34 things this fall and winter that relate to this area.

35
36 And the big one this fall was the Noatak Controlled Use
37 Area, I think. People up there, we really wanted to keep that
38 and the Board of Game didn't change that, they kept it the way
39 it was. And this Council also submitted a letter in support of
40 that before the Board of Game. And there's a lawsuit
41 challenging controlled use areas, that's still going through
42 the courts and I don't know anything new about what's happening
43 with that, but that's still ongoing.

44
45 The Board of Game also passed a Point Hope moose reg
46 that would let Point Hope people take moose in July, a special
47 season for them there, when the moose are in their area. When
48 the moose are going through so they can hunt them legally.

49
50 And kind of a big one for around here, well, two things

00105

1 for brown bear. Unit 23 has that subsistence brown bear reg
2 where you don't have to pay a \$25 fee and for a subsistence
3 hunt you can get one every year. They've extended that down to
4 most of the Seward Peninsula, not right around Nome because
5 they figure there's too many sport hunters. But the rest of
6 the Nome area, Unit 22, is no under that same subsistence brown
7 bear management. And for around here, for sport hunting brown
8 bear, the Board agreed to increase the non-resident spring
9 permits up to 18, so there's a total of 36 now. And a lot of
10 people just said there's a lot of brown bear and they said it's
11 better to hunt them in the spring than in the fall for the
12 sport hunt because they could get the big males more and it was
13 less conflict with local people in the Noatak and stuff. So
14 they did change that. They also lengthened the non-resident
15 season a little bit so it's the same as the resident season
16 now. It kind of simplifies it and it means there's more
17 permit, non-resident brown bears that can be taken.

18
19 And the Board did two musk-ox things at this meeting
20 down in Nome last fall. And one was for in Northwest Unit 23,
21 they agreed that it is customary and traditional for people to
22 use musk-ox. And they didn't go any further than that.
23 There's no plans for a hunt or anything at this point. But it
24 is setup. They agreed, the State says it's customary and
25 traditional. And they also decided that down on the Seward
26 Peninsula, which a few years ago they denied and they really
27 argued about it, but now for the Seward Peninsula, too, they
28 said there's going to be customary and traditional musk-ox,
29 under the State, as well as Feds. And Susan Georgette is going
30 to talk about that more in a minute. That was Nome.

31
32 The other big thing was caribou antler sales. There
33 was four proposals that came before the Board of Game to
34 legalize antler sales again. And three people from the Nana
35 region including Raymond Stoney went down to that Bethel Board
36 meeting and pretty much asked for more time. What the Board
37 did there was clarify the existing reg and I think I gave that
38 to you guys, it's this one, it just spells out what they mean
39 by handicraft. And it spells out that shed antler can be
40 legally sold if it's naturally shed. And there's a copies of
41 this if anyone else wants it. Other than that, it's going to
42 be a year and a half before this antler sale will come up in
43 the Board cycle again. There's no proposals, they just took no
44 actions. There's no proposals pending. A lot of people think
45 that there will be more proposals submitted. For one thing the
46 people who want to sell antlers, the people who want to buy
47 antlers are really likely going to submit a proposal.

48
49 That meeting in Ambler, people really, really talked
50 about it. Real; briefly, a lot of people talked about how you

00106

1 could sell antlers and not have a problem. Nobody wanted to
2 just open it up wide open and say, okay, it's legal again. A
3 lot of people thought, well, there was a problem, how are we
4 going to control it? A lot of people had a lot of ideas how to
5 control it. Some people didn't ever want to see it open again.
6 Some people are really worried about it. Some people really
7 want to open it but with controls. And I think it's -- since
8 then and around that same time, too, like different IRA
9 Councils have met and other groups have met and they're really
10 all talking about this issue. And I think it's going to be
11 something that's probably going to come up again. And I don't
12 -- Raymond -- if Raymond has a different opinion or more to
13 add. Raymond was there at that Ambler meeting.

14
15 MR. STONEY: Yes. Like at the Bethel meeting there was
16 four proposals concerning the legal sale of the caribou
17 antlers. So I finally requested that those three proposals be
18 tabled for more information from local people in these areas.
19 So we kind of -- there was an elder's meeting from Selawik,
20 Noorvik and Kiana and they asked me to testify before them,
21 which I did. And apparently what happened in that meeting,
22 that the Selawik and the Noorvik and Kiana requested to me they
23 have a town meeting sometime in Noorvik and bring this up and
24 then they'll come up with a final conclusion what they want to
25 do. Apparently, the way it looks is that they did not want to
26 legalize sale of caribou antlers. That's the way -- what it's
27 leading to.

28
29 MS. BUCKNELL: Interesting. Yeah, that's news. It's
30 really -- people really, really, really went back and forth and
31 really talked about it. And I don't -- the Board of Game,
32 there's no -- obviously there's no biological reason not to
33 sell antlers, they're not worried about that. And it comes
34 down to kind of moral issues and ethical issues and just how
35 people feel about things and subsistence issues.

36
37 One argument that seemed really persuasive in Ambler,
38 people were saying the subsistence issue is on the Board state
39 wide. And abuse of caribou hunting to sell antlers in this
40 region could look really bad. And just for a lot of reasons,
41 people are going to have to think about it really, really hard.
42 As far as the Board is concerned, I feel like they pretty much
43 thought if the region could agree, they would go along with
44 that. But if there's a really divided issue, I don't know if
45 they'll want to open it. If there's really a lot, I don't know
46 how they'll deal with it then.

47
48 MR. STONEY: Well, at the Board meeting in Bethel, all
49 the proposals were just ready to be passed, you know, they
50 would have just about another year they could have been passed.

00107

1 I requested, you know, for them to table them. For one reason
2 I did, if they were to legalize the sales of caribou antlers,
3 then we have to start all over and give, let's say, bag limit
4 regulations. Like in Unit 23, there's no bag limit. Like
5 they could get five a day, but if you get five a day for 365
6 days -- on Federal land you get 15 caribou a day, not -- and
7 I'd wind up with 200 caribou if I wanted it, now, if you
8 legalize this that's what's going to happen. There'll be
9 wanton and waste all over the country. So they're going to
10 come up with a new proposal concerning, I think, annually bag
11 limits on caribou, I mean on Unit 23 if they legalize the sale
12 of caribou antlers.

13
14 CHAIRMAN GOODWIN: Percy.

15
16 MR. BALLOT: We have advertisements coming from
17 Fairbanks of people wanting to buy caribou antlers and stuff
18 like that. How is that possible when we're still talking about
19 legalizing it?

20
21 MS. BUCKNELL: Well, let's see, maybe I shouldn't get
22 into that too much. Yeah, I was surprised then people on Upper
23 Kobuk and stuff, too, say people are advertising to buy antlers
24 there who are supposed to be illegal. And there may be some --
25 some people may be being charged with some things, too, and I
26 don't know too much about that; people trying to buy antlers
27 and stuff. But good question, it's been confusing. This kind
28 of spells out more what is legal at this time, but yeah,
29 interesting.

30
31 CHAIRMAN GOODWIN: Earl.

32
33 MR. KINGIK: Earl Kingik, Native Village of Point Hope.
34 I had a big problem on that day that caribou antler issue was
35 on the radio, you know. And my phone keep on ringing, you
36 know. I got 19 antlers for sale, you know, I just got the
37 caribou this morning, I just yanked them right off and who's
38 going to buy them, you know. Where can I sell them, you know,
39 that's a big issue. Who's going to be monitoring these people
40 that are buying antlers, you know? Because they got to be
41 dropped and shedded antlers, but hunters will tell you they'll
42 just yank it off, you know, and leave the poor dead animal out
43 there and there'll be a lot of wanton and waste, you know. I
44 was wondering who's going to be monitoring these, you know? My
45 wildlife department is having phone calls already, you know.

46
47 MS. BUCKNELL: People talked about that a lot. They
48 said if they want to legalize it, how are we going to monitor
49 it? There should be -- you have to have a license to sell, you
50 have to have a license to buy, you have to keep records. All

00108

1 sorts of different ways to control it, to monitor it if you do
2 it. And the other side, I guess, that people said is other
3 people are saying we really need the money, we really want to
4 sell. There's a black market going on anyway, there is sales.
5 We think we can control it. There's Purcell Security now. So,
6 you know, it's not just a one-sided argument. So it's going to
7 be ongoing, I think, probably.

8

9 CHAIRMAN GOODWIN: Any other questions? Jim, you're on
10 the agenda with the antler situation, you got anything to add
11 to that?

12

13 MR. DAU: I can't add too much. I just think that
14 throughout the unit, whether people are for it or against it,
15 everybody clearly understands the benefits. And we're hearing
16 it all the time, we need to be able to sell antlers especially
17 in light of welfare reform. It used to be done in the villages
18 financially, it's a special event now. But at the same time
19 everybody is saying, way back in the late '80s when you could
20 just sell, we had real problems. I think the difference
21 whether people are for antler sales or against it is whether or
22 not they think you can attach conditions to allow antler sales
23 and prevent waste. That's where there's a difference of
24 opinion. The people who want to sell antlers say we just need
25 to attach conditions, we can do that. And other people say it
26 only takes one newspaper photo in the Times of a big bull with
27 his antlers cutoff and all subsistence hunters names are going
28 to be blighted and this is a terrible time with subsistence
29 coming to a head in the state to do that.

30

31 Those are the two arguments. That's about the only
32 thing I can say that Susan hasn't said already.

33

34 CHAIRMAN GOODWIN: Thank you.

35

36 MS. BUCKNELL: That's about it. Just a little bit
37 about fish, about one minute. Someone mentioned about rod and
38 reel for subsistence. The Board of Fish took a proposal from
39 AVCP, something.....

40

41 MR. KNAUER: Association of Village Council Presidents.

42

43 MS. BUCKNELL: Association of Village Council
44 Presidents, yeah, submitted a proposal for subsistence rod and
45 reel just down in the Y-K Delta. The Board of Fish couldn't
46 deal with that at that meeting. They would take at least a
47 year to work it out and it's because of the statewide
48 implications and they're talking whether they should look at it
49 as a statewide issue and not just -- but it's something that
50 they're considering.

00109

1 It sounds like Area M, they're gradually making a
2 little bit of progress. Sort of the subsistence voice is maybe
3 gaining a little more power there. And there's a proposal in
4 Norton Sound that would increase the number needed for
5 subsistence salmon, they would say it's 150,000 instead of
6 about 83,000. The Board of Game also couldn't deal with that
7 in Fairbanks. They're having a meeting in Nome next month on
8 March 3rd through the 6th, next month to look at that. And the
9 implications of that are kind of big because that might -- and
10 Susan might know more about this, Georgette, it might take them
11 into a Tier-II subsistence fishing situation for the Nome area.
12 and Tier-II would be more leverage; is that right, against sort
13 of the whole Area M fishery?

14
15 MS. GEORGETTE: When Tier-II hunts or fisheries happen
16 means that.....

17
18 COURT REPORTER: I can't -- we're not going to be able
19 to hear you unless you come up to the microphone.

20
21 MS. BUCKNELL: Well, Susan's going to talk about musk-
22 ox in a minute, so yeah.

23
24 MS. GEORGETTE: I mean if you want to hear it or.....

25
26 CHAIRMAN GOODWIN: You're next anyway.

27
28 MS. BUCKNELL: But that's all I have, Mr. Chair.

29
30 CHAIRMAN GOODWIN: Thank you, Susan Bucknell.

31
32 MS. GEORGETTE: Tier-II hunts and fisheries take place
33 when there's not enough for subsistence. And so if there's a
34 Tier-II fishery in Nome it means there's not enough fish for
35 subsistence which means commercial and sport fishings just have
36 to be cut out.

37
38 Are you ready for musk-ox?

39
40 CHAIRMAN GOODWIN: Yeah, we're ready for the musk-ox
41 now.

42
43 MS. GEORGETTE: This is going to be a joint
44 presentation with Sandy with Park Service. And I know it's
45 getting late and this is pretty short but it's something that
46 we thought you might want to take action on as a Council as
47 opposed to just informational.

48
49 And this is the Seward Peninsula musk-ox, which, for
50 your region effects that part of 23; that's where Buckland and

00110

1 Deering is. So we're not talking about the musk-ox up near
2 Kivalina or Cape Krusenstern. I think Susan Bucknell said that
3 in October the State Board of Game reversed their earlier
4 decision about customary and traditional uses of musk-ox on the
5 Seward Peninsula. So they say now that there is customary and
6 traditional use, which then opens the door for new options for
7 what kind of State hunt there would be. The Board didn't want
8 to decide on the details of that hunt, when and where and how
9 many, and they deferred it to this musk-ox cooperators group.
10 Which is a really loosely knit group of anyone who's interested
11 in it. And we had a meeting in late January and there were
12 probably 40 people there and maybe 20 of them were from
13 villages and Native organizations and the public and maybe 20
14 of them were agency people. And they met to try to discuss
15 what kind of hunt this should be on the Seward Peninsula. And
16 Sandy and I thought we could present the results just as people
17 who were there. But it really isn't a Park Service group or a
18 Fish and Game group. It's a group of people, and I think Sandy
19 said earlier that from this region there was Lester Hadley,
20 there was James Moto from Deering, Walter Sampson was there for
21 part of it as a Board of Game member, Jim Dau and Donna; there
22 were other people here that were there. And so we just wanted
23 to go over quickly what the cooperators recommended and then
24 encourage you to submit your comments to both the State Board
25 and Federal Board on the musk-ox issue, if you want. The State
26 Board is going to take this up in late March in Fairbanks, so
27 it's a timely thing. And I guess the Federal Board -- well,
28 Sandy could talk about that.

29
30 Okay, Barb handed this out, I don't know if you could
31 find it, it's called the Seward Peninsula Musk-Ox Cooperator's
32 meeting and we handed it out this morning and it's a real
33 succinct description of what the issues are. Go ahead, Sandy.

34
35 MR. RABINOWITCH: I'm going to wait a moment and see if
36 everybody can find this.

37
38 MS. GEORGETTE: I can get some more if people can't
39 find theirs.

40
41 MR. RABINOWITCH: If I refer to one of the pages it
42 will be a lot easier if you have it open and you can follow.

43
44 Just one introductory comment that as Susan said, there
45 may be some activity in the Board of Game, in terms of the
46 Federal Subsistence Board, the only thing that's currently
47 going to come in front of them is a proposal that you looked at
48 this morning and supported which is the season change. So it
49 is complex, in that, the Federal regulations that exist, of
50 course, are in effect only on the Federal land and right now

00111

1 there is no State season. So the Federal proposal right now
2 simply extends the season on the Federal land. And with your
3 support and I'll predict that the Seward Peninsula Council next
4 week will probably similarly support as you have, I mean I
5 think it's somewhat of a safe assumption, I then sort of
6 predict that the Federal Board will probably also support it,
7 you know. But if the Board of Game takes some action then you
8 might want to consider whether or not you'd be interested in
9 some further adjustments in Federal seasons in the future. And
10 I won't get into that unless you have some more questions, but
11 I just want to highlight that point.

12
13 On the chart on the second page, it's titled summary of
14 recommendations, there's a chart with a lot of columns and
15 numbers. I would encourage you to look at it. And I think if
16 we'd just take a moment, it'd be very brief and you focus on
17 the third column, which refers to GM 23, the southwest -- I
18 believe it stands for southwest portion, what happened in a
19 room of 40 people is we divided the tables up and put a sign on
20 the table 22(D) table, 22(E) table, 23 table. It had people
21 that were from or interested in those subunits to sit at the
22 tables and work through the issues. And this chart represents
23 what the representatives from the villages basically wanted --
24 recommended. And it's pretty easy to read and I'll just read a
25 couple of them. But in terms of the population goal, you can
26 see that actually all the subunits, after discussion, agreed
27 that they actually wanted to see a long-term increase in the
28 herd size. A couple of years ago there was a lot of discussion
29 about capping the herd size. So there's been a continuing
30 evolution in the goals from the people in the villages about
31 the musk-ox population. Right now this is what they said a
32 couple weeks ago.

33
34 The harvest rate, the next one is also a bit
35 interesting. Currently the Federal Board has more or less, and
36 I say that because it's not perfect, but it has more or less
37 followed a musk-ox plan that was signed several years ago by a
38 number of Federal and State agencies that set an approximate
39 three percent harvest rate on the musk-ox herd. And you can
40 see that what the -- again, on the subunit basis, different
41 subunits basically would like to see a little bit of an
42 increase up to four percent, at sometime in the future up to
43 five percent and it's connected to the goal of increasing the
44 herd size. So if the population of the herd continues to grow,
45 it's been doing that historically, I think one would say that
46 it might grow but the biologists say don't count on it based on
47 other examples in the state, but if it does continue to grow,
48 it's in the 900 animal range, if it continues to move upward,
49 that then people would like to see the amount of take increased
50 slowly upward as the population goes upward. And the exception

00112

1 is in the Unit 23 portion because it's the -- that geographic
2 area where the herd is expanding, they're moving out into that
3 area, people from that area wanted to be a little more
4 conservative because the overall number of musk-ox aren't quite
5 as high in that as you can see in the next column if you look
6 down.

7
8 And the fourth one, it was the village representative's
9 estimate of the subsistence need from their communities -- I'm
10 sorry, the fifth one down was that. And you can see the
11 numbers, there's a lot of question marks, in some cases people
12 just didn't -- you know, didn't have an opinion, they wanted to
13 talk with more people in the villages. The Federal allocation
14 line was a complex question in it was trying to get at, how
15 people from the villages looked at the Federal program, these
16 regulations, you know, it's the blue cover that you all have,
17 in contrast -- or in potential cooperation, really, to a
18 potential State hunt. So from GMU 23, the answer was that
19 there'd be an interest to allow two to three permits, if you
20 will, to be tried under a State hunt which doesn't yet exist.
21 This is what the board of Game will be looking at in March. In
22 GMU 22 they said, well, about 50 percent. And then in GMU
23 22(D), they said three to four. So different areas, different
24 communities had a little bit different opinions. But you know,
25 you can see the range there.

26
27 There was pretty good concurrence on the season. I
28 actually think that I heard a little more concurrence than this
29 chart shows, but that's just my own view. And then on the bag
30 limit, I think, probably was one place where there was very
31 good consensus that right now everybody thought that bulls only
32 hunt was the way to go. And that in time, some years down the
33 road that it might make sense to have some cow hunts on those
34 musk-ox, but not yet. And that's a matter of population
35 dynamics and such.

36
37 I'll stop there. If you've got questions I might look
38 to Donna over here to my left to help out with some of the
39 biological answers if you have questions.

40
41 CHAIRMAN GOODWIN: Bert.

42
43 MR. GRIEST: I hear this morning from the State that
44 they were recommending that Unit 23 be the -- the whole unit
45 c&t on musk-ox; did I hear that correct this morning?

46
47 MS. GEORGETTE: Yes.

48
49 MR. GRIEST: Yes. Have you -- then the cooperators
50 have they discussed that?

00113

1 MS. GEORGETTE: I mean I would say that you're right
2 that the Board of Game decided positive c&t for all of 23, but
3 they're in separate areas. There's like this northwest part
4 and then there's Seward Peninsula. And this cooperator's group
5 is just Seward Peninsula. And it's been meeting for several
6 years now, it's kind of evolved what issues it's been
7 addressing. So this group has not addressed musk-ox hunting
8 in, you know, north of Kotzebue area.

9
10 On the first page, too, to back up a little bit. These
11 were the key questions that if the Council has any comments
12 would be welcome. Which is, how many musk-ox are needed for
13 subsistence from the Seward Peninsula, each subunit? How many
14 should be harvested and how should the permits be allocated?
15 And I might add that these recommendations that Sandy went over
16 are like people sort of threw things out and did the best we
17 could, but there were only one or two people from each village
18 and they were going to go back to their village with this. But
19 their village then -- Deering may look at this and go, well, we
20 don't really like what that is and we'd like to adjust it a
21 little bit. So this isn't like final recommendations. These
22 are just recommendations for discussion. And if the Council
23 has other ideas or, you can see under 23, subsistence need, we
24 have Deering four to five musk-ox and they recommended Buckland
25 four musk-ox and other says 20 plus. And that's because had
26 really no idea what to say for Kotzebue, Selawik, other
27 villages that might snowmachine down and be interested in musk-
28 ox.

29
30 CHAIRMAN GOODWIN: What are you asking from us?

31
32 MS. GEORGETTE: Well, I guess what I'm asking for you
33 then is I was just going to take a minute, there's these three
34 options the group came up with and if the Council wanted to
35 provide any comments to the Board of Game about any of these
36 things. What the harvest rate should be? How many are needed
37 for subsistence or how the hunt should be allocated? Or you
38 could just defer the villages.

39
40 The one option people came up with was just keep the
41 existing hunt. The Federal subsistence hunt only. In a
42 nutshell, the advantage to that is that only village get the
43 permits. The villages in the hunt area get the permits but you
44 have to go to Federal land to hunt and Percy knows all about
45 that, what problems that is.

46
47 Option 2 was some combination of a Federal hunt with
48 what the State calls a Tier-I hunt. And a Tier-I hunt means
49 mostly that it's -- that the subsistence need is no higher than
50 how many musk-ox are available. So if we thought the

00114

1 subsistence need was 20 and there's 20 that can be taken you
2 could have a Tier-I, which is kind of like an open hunt. It's
3 a registration hunt. Anyone can go hunt that's an Alaskan and
4 hunts under those conditions. But because the group
5 recommended that the need was so much higher than the amount
6 available, it's kind of not an option unless people decide that
7 their need is really less than what the cooperators said. And
8 so under the current recommendations, that's not really an
9 option. But it was something we didn't know at the time
10 really.

11
12 So the third option is a combination of a Federal hunt
13 and a State Tier-II hunt. And a Tier-II hunt is one of these
14 hunts where you have to fill out an application ahead of time
15 and people are scored based on their history of hunting and the
16 availability of alternatives and the cost of food and gas in
17 their communities. And the people with the highest scores get
18 the permits and that's how they decide. So in a nutshell, the
19 advantage to the State hunt is that you can hunt on nearby
20 State and private lands, but anyone could apply for these
21 Tier-II permits and you'd have to fill them out ahead of time.
22 And the villages in the hunt area, like Buckland and Deering
23 would probably get the permits, but there's no guarantee they'd
24 get the permits and so it's up to the communities and the
25 organizations.

26
27 If there's some alternative you prefer or some
28 combination of, you know, a couple permits going to a State
29 Tier-II hunt and a couple going to a Federal hunt. And have
30 you talked about it in Buckland, Percy, has that.....

31
32 MR. BALLOT: Not this, the options.

33
34 MS. GEORGETTE: Right.

35
36 CHAIRMAN GOODWIN: What was the preference of the
37 cooperators?

38
39 MS. GEORGETTE: Well, some of them -- like Teller, for
40 instance, just wants the Federal hunt. Even though they have
41 to go 75 miles, they don't want to have to mess with Tier-II.
42 They don't want to feel like someone else might get their
43 permits. Some other people preferred -- like, I think in
44 Deering, James felt that he would be willing to try a couple,
45 one or two to the State hunt, but they didn't want to give all
46 their permits to the State hunt because they're not sure it's
47 going to work for them. And I don't know if he's gone back and
48 talked to his council more. And so there was a mixed view on
49 it.
50

00115

1 CHAIRMAN GOODWIN: I think we ought to wait until we
2 hear from them.....

3
4 MS. GEORGETTE: Okay.

5
6 CHAIRMAN GOODWIN:before we -- Percy.

7
8 MR. BALLOT: Yeah, Mr. Chairman. Buckland, I think
9 their needs should be a little higher, like six, if only the
10 musk-ox would cooperate with us and be on Federal land. That's
11 all I have there.

12
13 MS. GEORGETTE: Okay.

14
15 MR. BALLOT: And we shall support the Federal
16 subsistence -- Option 1, Buckland.

17
18 CHAIRMAN GOODWIN: Sandy.

19
20 MR. RABINOWITCH: The main point was just to make sure
21 that you're aware of this and have an opportunity to ask
22 questions, get the information. Whether you take action or not
23 it's up to you. But we want to make sure that -- it's sort of
24 a Seward Peninsula issue, but a part of it is in your region
25 and we just want to keep bringing it in front of you so you
26 don't get behind.

27
28 CHAIRMAN GOODWIN: Thank you.

29
30 MS. GEORGETTE: That's it, thank you.

31
32 CHAIRMAN GOODWIN: Earl.

33
34 MR. KINGIK: Yeah, I got a question. How can my
35 village apply for a permit, you know, we got musk-ox there over
36 20 years, you know. And they told us when they moved the musk-
37 ox there that we'll be hunting them in the future? How can we
38 get ourselves involved in this hunt like Buckland and Deering?
39 Will Point Hope be included in there, too? Because I know my
40 people are illegally hunting them, but we like the legal way,
41 too, you know. It's something you got to think about, you
42 know.

43
44 MS. B. ARMSTRONG: Mark, didn't hear you.

45
46 MR. RABINOWITCH: On the Federal regulatory side,
47 there's just really two steps. And that is, that your
48 community has to have a positive c&t, customary and
49 traditionally use finding for the area that you want to hunt
50 in, which I presume would either be Unit 26 or Unit 23.

00116

1 MR. KINGIK: Unit 23.

2
3 MR. RABINOWITCH: And then the second step -- and you'd
4 accomplish that by submitting a proposal to the Federal
5 Subsistence Board. It would come right to this group for their
6 deliberation and recommendation and then goes to the Federal
7 Board. And the second step and they can occur at the same
8 time, is to propose a hunt, a season and a bag limit. So it's
9 a two-step process. You're in the right spot, with this group,
10 and you can submit a proposal at any time. You can submit a
11 proposal tomorrow if you chose to. The Federal Board would
12 basically hold that kind of in the mail box until, what, late
13 September or early October next year, Bill.

14
15 MR. KNAUER: The proposal period is actually about mid-
16 August through October each year.

17
18 MR. RABINOWITCH: So August through October is, you
19 know, a little more correctly the time to submit it. But if
20 you sent it in tomorrow, we'd hang on to it until then and then
21 it would be in front of this body next fall at your next
22 regularly scheduled meeting.

23
24 MR. KINGIK: Sounds good.

25
26 CHAIRMAN GOODWIN: Thank you.

27
28 MS. GEORGETTE: Thank you.

29
30 CHAIRMAN GOODWIN: Do we have any other agency reports?

31
32 MR. ITO: Yes, sir, Mr. Goodwin -- Chairman. Fishing
33 agency, I guess. My name is Gordon Ito, I don't know who I'm
34 representing today but I think I'll be talking about fish. I
35 came this last evening because I didn't quite understand the
36 process between the Federal Subsistence Board or the advisory
37 committees or however they do it. But I guess I'm getting a
38 little bit more clear, that this body right here is going to
39 take on, not only fish but also game and you'll be inundated
40 with so much fish and game stuff, that's why they made two
41 boards in the State of Alaska, one game and one fish board.
42 Because they don't intertwine and you're so busy working one
43 thing you don't know what the other one's doing. But I assume
44 that they have one board and this is going to be a fish and
45 game Federal Subsistence Board and I guess maybe this is the
46 body that I'd have to bring this to. I was waiting for, our
47 dignitaries over here, Mr. Rabinowitch and Mr. Knauer to kind
48 of explain to me what -- I had asked a question in so many
49 words last night. I was wondering, are they going to have a
50 board, per se, for fish or does all the fish proposals go

00117

1 directly through this advisory committee here.

2

3 CHAIRMAN GOODWIN: Sandy.

4

5 MR. RABINOWITCH: As the Proposed Rule is currently
6 written -- and the Council, as your Council has been asked in
7 the past, asked for its advice on that very question is that
8 this Council that you're looking at right now would be the
9 advisory body for the Federal Subsistence Board for this region
10 in the state. And that the Federal Subsistence Board, as it
11 now exists, would also basically keep its same name and then
12 begin to deal with fish proposals to changing Federal fish
13 regulations when and if they come into permanent existence, the
14 soonest of which would be in December of 1988 (sic) as we spoke
15 about last night.

16

17 With that said, I think that in some parts of the
18 state, the Yukon River being the best example, there is a lot
19 of discussion, information discussion, about whether -- because
20 when you look at the Yukon River from west to east, there's
21 three Regional Councils like this that deal with the Yukon
22 River. And so there's some discussion about how effectively
23 that would work for Yukon River fisheries. But that's a more
24 complex situation. I think that the feeling in this region
25 that it was a little more straightforward and my recollection
26 from this body from the last year or two is that you felt that
27 your current boundaries made sense and that you should
28 basically stay constituted the way you were. But it's really
29 still an open -- I think of it as an open issue, but that is
30 how it's written as of right now.

31

32 CHAIRMAN GOODWIN: Okay.

33

34 MR. RABINOWITCH: Does that make sense?

35

36 MR. ITO: I think that's what I was trying to get at.

37

38 MR. RABINOWITCH: Okay.

39

40 MR. ITO: In a sense to where I didn't know where to
41 direct, like this rod and reel deal. I mean you know we have
42 an issue up the upper Kobuk with our sheefish and you're making
43 subsistence on rod and reel and everybody in the state of
44 Alaska is a resident or I don't know what the deal is, they
45 tossed a coin up and it hasn't hit the ground yet. But I know
46 the people from Fairbanks have been coming over and hitting our
47 spawning grounds in the sheefish and they'll take and catch and
48 release and you can't do that to sheefish because they can't
49 recover. Once you bring it in on the bank and you try to let
50 it go it goes out and dies. And that was an issue of

00118

1 contention with the advisory -- Kotzebue Advisory Committee
2 that we were very, very concerned on the issues of sheefish.

3
4 I think that's something that we have to watch very
5 closely. I heard last night or today, one of the two, stating
6 that it's legal or to subsist with rod and reel now, that the
7 proposal was coming up from AYK Delta or something to the State
8 and then somebody told me it's already passed, the rod and
9 reel, you can subsistence rod and reel. You know, and that's
10 something that, you know, I think Mr. Goodwin here had brought
11 up last night. That's what I was concerned about.

12
13 And as far as I guess you want committee reports, I
14 understand that maybe this is a body I have to go and just
15 bring you up to speed on what we're doing in the ocean out
16 here. We just got a \$900,000 grant for bottom fish, possibly
17 halibut. We're looking into our crab, possibly fish, into the
18 southern Chukchi Sea and also we're looking at -- I've been
19 trying to catch up with my colleague here, Mr. Kingik, in the
20 Point Hope area and sit down and try to get together with their
21 Native community, their IRA and sit down and kind of work a few
22 things out here. The things that we're going to be doing
23 possibly out here in the ocean is, it's just going to be
24 predominately the Chukchi Sea. We have a \$900,000 grant to go
25 out and look for harvestable quantities of species that we feel
26 that are out there. We know there are some things out there,
27 we just got to go out and find them. We're probably going to
28 start our surveys this next spring, like this next month.
29 We'll start our surveys then. We're going to go all the way
30 into next fall. We want to set some sort of a board up and
31 we'd like to have that board go through the IRAs to pick their
32 people, their representatives for each one of the areas. We
33 want to go from Shishmaref, Buckland -- or Deering, Buckland,
34 Kotzebue, Kivalina and Point Hope and set this body up. As
35 we're looking at -- we're also looking for more funding. We're
36 going to the State for matching funds. If we can get an
37 additional 900,000 to match up with what we have, I think we've
38 been pleading with this economic development and this welfare
39 reform that everybody's talking about -- this information will
40 be available to the whole public, I assume by this next year
41 after we compile all the information that we do get together.

42
43 I think I just -- if there'd be any questions on that,
44 if somebody does ask you what's actually going on here, I think
45 it's only fair to let you know that you understand what's going
46 on here, what these funds that we're working off of. We got
47 the funds appropriated from Senator -- or Representative -- or
48 Congressman Young's office. The funding went to the National
49 Oceanographic and Atmospheric Association. It's going -- it's
50 being managed by the Bering Sea Fishermen's Association at this

00119

1 point in time. And I think it's probably sitting in the bank
2 right now if I'm correct.

3
4 CHAIRMAN GOODWIN: Thank you, Gordon. Well, we only
5 deal with fisheries in Federal lands, we certainly appreciate
6 your report. We do -- I did raise a question with the Fish and
7 Wildlife Service some time back on how this study and proposals
8 would effect a sea mammal that we hunt. You know, until we get
9 your report nobody will know, you know, how it effects the
10 walruses.

11
12 MR. ITO: Mr. Chairman, I believe that's probably why
13 we're going through the IRAs. And there is a thing called, I
14 guess you would go three to 12, would be State -- or zero to
15 three would be State, three to 12 would be Federal and then
16 from 12 to 200 mile limit would be International waters beyond
17 that. And this is why I feel that I think this body is, you
18 know, as a good faith effort from -- if there's anything that
19 we can accommodate in this with our information we can, you
20 know, keep you very closely updated on exactly what we're
21 doing; all the information that we do pull. We would like to
22 see this thing work. We're trying to work things out. We need
23 regulations in place if we do find harvestable quantities so
24 that we don't have everybody from Seattle, we got the factory
25 trawlers coming -- hitting us and hitting us hard with the
26 vacuums and just, you know, trawling the bottom of the ocean
27 and wiping everything out. That's why we're trying to scramble
28 as quick as we can to set this body up so that maybe we can put
29 limitations on boats coming up here, possibly 32 foot, you
30 know, we're looking at four months out of the year possibly.
31 We want to take this stuff home so that we don't lose out on
32 it.

33
34 CHAIRMAN GOODWIN: Thank you.

35
36 MR. STONEY: Mr. Chairman, I have a simple question for
37 Gordon here, since you have your grant I suppose you'll be well
38 equipped by boats, you know, a good vessel for full-time
39 surveying? You got a good boat then?

40
41 MR. ITO: No, we don't actually have any boats at this
42 time, per se. What we are going to do and what we want to do
43 is we want to hire local people.....

44
45 MR. STONEY: Oh, okay.

46
47 MR. ITO:for these surveys. So that when they go
48 out there, it's like on-the-job training. A lot of these
49 people that live in, like the communities that I named off,
50 they have equipment but they don't know how to go out and, per

00120

1 se, lay a hand line -- lay a longline for halibut. How to
2 setup some crab pots. We'd like to get these people involved
3 in this process so that if it does come to there are
4 harvestable quantities out there of crab or halibut or such
5 that they'd be the ones out there harvesting these.

6
7 CHAIRMAN GOODWIN: Thank you. Any other reports?
8 Seeing -- what happened to Barb, oh, there she is right there.
9 Any other new business, if not we're around to the time and
10 place of the next meeting. Suggestions.

11
12 COURT REPORTER: You have to get near a microphone,
13 ma'am.

14
15 CHAIRMAN GOODWIN: Do I hear Anchorage?

16
17 (Off record comments)

18
19 CHAIRMAN GOODWIN: Any suggestions?

20
21 MS. B. ARMSTRONG: What about 22 and 23, September?

22
23 CHAIRMAN GOODWIN: Sounds good. Any objection.

24
25 MS. H. ARMSTRONG: What was the date?

26
27 CHAIRMAN GOODWIN: 22 and 23, September.

28
29 MR. KNAUER: Where?

30
31 CHAIRMAN GOODWIN: They did volunteer Buckland, we
32 didn't go to Buckland.

33
34 MR. BALLOT: Actually it was Buckland or Deering.

35
36 CHAIRMAN GOODWIN: Buckland or Deering. Anybody have
37 any preference? Kotzebue?

38
39 UNIDENTIFIED VOICE: Yeah, Kotzebue.

40
41 CHAIRMAN GOODWIN: Tentative.

42
43 MR. BALLOT: Well, you guys should have had musk-ox,
44 maybe.

45
46 CHAIRMAN GOODWIN: Any other business? First of all, I
47 want to thank everybody for being here. I apologize for
48 running it right until after 5:00 o'clock. But since we were
49 so close to getting the agenda done, I figured we might as well
50 get it done today and not wait until tomorrow. And I

00121

1 appreciate all of the people that came to this meeting and gave
2 all the reports. I want to thank the Council for its
3 participation here. We look forward -- I look forward to
4 working with you. And I want to thank you all. Any other
5 comments from the Council members? Anybody have any comments?

6
7 Hearing none, a motion's in order to adjourn.

8
9 MR. GRIEST: So moved.

10
11 CHAIRMAN GOODWIN: Any objections? Hearing none, we're
12 adjourned.

13
14 (END OF PROCEEDINGS)
15 * * * * *

00122

C E R T I F I C A T E

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UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the
State of Alaska and Reporter and Owner of Computer Matrix, do
hereby certify:

THAT the foregoing pages numbered 02 through 121
contain a full, true and correct Transcript of the Northwest
Arctic Federal Subsistence Regional Advisory Council,
Volume I, meeting taken electronically by Barbara Caraway on
the 18th day of February, 1998, beginning at the hour of 9:00
o'clock a.m. at the Kotzebue Technical Center, Kotzebue,
Alaska;

THAT the transcript is a true and correct transcript
requested to be transcribed and thereafter transcribed by Mary
Miller and Salena Hile to the best of their knowledge and
ability;

THAT I am not an employee, attorney, or party
interested in any way in this action.

DATED at Anchorage, Alaska, this 27th day of February,
1998.

JOSEPH P. KOLASINSKI
Notary Public in and for Alaska
My Commission Expires: 04/17/00